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FURTHER CORRESPONDENCE

RESPECTING

EASTERN AFFAIRS.

PART 27.

JULY—DEC. 1930.

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FURTHER CORRESPONDENCE

RESPECTING

EASTERN AFFAIRS

PART XXVII

JULY TO DECEMBER 1930

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CONFIDENTIAL.

Further Correspondence respecting Eastern Affairs.

PART XXVII.

CHAPTER I.—ARABIA.

[E 3448/1308/91]

No. 1.

High Commissioner of Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, June 27.)

(No. 295.)

(Telegraphic.) P.

Bagdad, June 24, 1930.

REFERENCE telegram No. 78 from Jedda to Foreign Office. In oral discussions with me, King and Prime Minister expressed strongest disapproval of linking Extradition Treaty with "Bon-Voisinage" Agreement. I, however, find that in letter to Fuad Hamza the Prime Minister—provided political offenders are exempted and term "political offence" is defined in advance—welcome idea of negotiating Extradition Treaty. This is polite way of turning down extradition altogether.

A second letter was being written, Feisal informed me, asking that signature of "Bon-Voisinage" Agreement should not be delayed by negotiations for extradition.

As Ryan suggests, I am writing personal letter to Ibn Saud.

[E 3552/3080/91]

No. 2.

Sir S. Barton to Mr. A. Henderson.—(Received July 4.)

(No. 73.)

Sir,

Addis Ababa, June 9, 1930.

WITH reference to Mr. Troutbeck's despatch No. 65 of the 20th ultimo, I have the honour to report that my German colleague has shown me the text of the Treaty of Friendship and Commerce which he hopes to sign on behalf of the Reich with the Kingdom of the Yemen.

2. The treaty is modelled on that made with the Kingdom of the Hejaz and consists of four articles providing for perpetual friendship, exchange of diplomatic and consular representatives, and most-favoured-nation treatment for German citizens and goods. The German and Arabic texts are to be of equal force.

3. During the negotiations which have been carried on in Cairo during the past year, the Yemen representative sought to obtain the insertion of articles recognising the independence and the boundaries of his State, such as are found in the treaty with the Soviet Union, and also of articles recognising the right of jurisdiction, such as are found in the treaty with Persia, but the German Government, so Dr. Prüfer informs me, are not prepared to agree to such insertion.

4. Copies of this despatch have been sent to His Majesty's Minister at Jedda and to the political resident at Aden.

I have, &c.

S. BARTON.

[E 3563/1/91]

No. 3.

Sir A. Ryan to Mr. A. Henderson.—(Received July 4.)

(No. 99.)

(Telegraphic.)

Jedda, July 3, 1930.

MY telegram No. 90.

On the receipt of Bagdad telegram No. 321 to Colonial Office, I thought it advisable to make telephone communication to Acting Minister for Foreign Affairs about Ibn Mashhur this morning without awaiting further instructions.

I said that Iraqi Government, influenced by High Commissioner, were doing everything to promote return of Ibn Mashhur to this country. I understood that King Feisal had written to Ibn Saud on 14th June suggesting despatch to Ibn Mashhur of letter conveying pardon promised on board "Lupin."

Ibn Mashhur had tried to get commission to go to Syria. This had been refused, but, in view of his desire to go there, despatch of pardon at an early date would be advantageous.

Pending instructions as to degree of pressure to be used in connexion with question of £10,000, I reminded Acting Minister for Foreign Affairs some days ago that I was awaiting fulfilment of promise which I had understood the King to give me on 11th June. He said to-day that the King had given an order for payment. He hoped it would be made within a week or at the furthest fortnight.

I made no reference to King Feisal's offer to accept £30,000 in full settlement. I think it best to leave this between the two Kings at present.

I now expect to see Acting Minister for Foreign Affairs on 7th July. If you approve action so far, I will continue on the same lines.

(Repeated to Bagdad and Bushire, No. 140.)

[E 3564/1308/91]

No. 4.

Sir A. Ryan to Mr. A. Henderson.—(Received July 4.)

(No. 100.)

(Telegraphic.)

Jedda, July 3, 1930.

MY immediately preceding telegram, last paragraph.

I propose also, if you see no objection, to pursue question of "Bon-Voisinage" Agreement on 7th July. In view of Bagdad telegram No. 295 to Colonial Office, I would say I understand that Iraq Government do not object in principle to Extradition Treaty, subject to agreement about political offenders, but that earlier conclusion of "Bon-Voisinage" Agreement is most desirable.

(Repeated to Bagdad, No. 141.)

[E 3580/2/91]

No. 5.

Sir A. Ryan to Mr. A. Henderson.—(Received July 4.)

(No. 101.)

(Telegraphic.) R.

Jedda, July 4, 1930.

MY telegram No. 92.

Reply from Acting Minister for Foreign Affairs, dated 30th June, expresses the King's thanks for the various facilities described in my note. Assurances are given regarding accommodation, subsistence and return journey of pilot to be borrowed from Royal Air Force; approximate date on which his assistance will be required will be notified to me in due course. The King agrees to his aeroplane being fitted with improvements at Hinaidi as proposed.

Acting Minister for Foreign Affairs states, with reference to portion of my letter dealing with pearling flights, the King has given orders to the authorities concerned "with a view to studying the subject and searching in islands opposite His Majesty's coast for a suitable place for this purpose, but owing to far distance definite reply on the subject is not possible before lapse of necessary time."

(Repeated to Bagdad, Bushire and Jerusalem.)

[E 3563/1/91]

No. 6.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 100.)

(Telegraphic.) R.

Foreign Office, July 5, 1930.

YOUR telegram No. 99 of 3rd July: Return of Ibn Mashhur to Nejd and proposed payments by Hejazi Government in settlement of Iraqi raid claims.

I approve your action and proposal to continue on same lines. Please note that the payment of £10,000 is to be on account of Iraq and Koweit claims, and not, as stated in Bagdad telegram No. 304 to Colonial Office, on account of Iraq claims only.

Your telegram No. 100 of 3rd July.

No objection.

(Repeated to Bagdad.)

[E 3584/223/91]

No. 7.

Sir A. Ryan to Mr. A. Henderson.—(Received July 6.)

(No. 103.)

(Telegraphic.) R.

Jedda, July 5, 1930.

MY despatch No. 131.

When preparing record I unfortunately overlooked one communication from Acting Minister for Foreign Affairs, written on 10th June, in explanation of oral references made during conversations with MacDonnell to special position as regards raids by Ibn Mashhur.

Note stated that Hejaz Government could not accept responsibility for claims in respect of raids on Transjordanian tribes by Ibn Mashhur, Eddiheina and Errafdi, because immediately after raids in question they had pursued the culprits, recovered part of the loot and returned it to the victims. During the pursuit the culprits joined with Nejd rebels, and, when latter were defeated, crossed into Iraq, where they still are with their property and remainder of the loot. During the negotiations in January British Government undertook to hand over to Ibn Saud all Nejd criminals and deserters, and Hejaz Government could naturally not accept responsibility in connexion with previous action of such persons pending fulfilment of that undertaking.

(Repeated to Jerusalem.)

[E 3598/223/91]

No. 8.

Sir A. Ryan to Mr. A. Henderson.—(Received July 7.)

(No. 131.)

Sir,

Jedda, June 12, 1930.

WITH reference to my telegrams Nos. 73 and 74 of the 11th June, I have the honour to state that King Ibn Saud received Mr. MacDonnell in formal audience on the morning of the 7th June and for business in the afternoon. In addition to Sheikh Fuad Hamza, Sheikh Yussef Yasin and Hafiz Wahba were present at the business audience and the subsequent discussions. It was noticeable that, after the King, Yussef Yasin played the leading part.

2. In order to facilitate discussion and minimise any danger of the King's professing to be taken unawares, Mr. MacDonnell had prepared a memorandum, dated the 6th June, which I forwarded with a formal covering note, so as to reach Fuad Hamza early on the 7th June, when the King came down from Mecca. I enclose a copy of this memorandum.

3. At the business audience, the King first embarked on general considerations connected with the Transjordan frontier situation. I reminded him that this was a subject on which I was instructed to make a separate communication, and that I had only been prevented by His Majesty's illness from making it in advance of Mr. MacDonnell's visit to him. When he had been gently steered back to the business in hand, he began by declaring the whole of Mr. MacDonnell's plan to be unpracticable. He proposed instead that Mr. MacDonnell should study all the Hejaz Government files in Jedda before he did anything else. Presently, he changed his front and agreed to attach a representative to Mr. MacDonnell, though he insisted that any idea of getting into touch with scattered tribesmen through such

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a representative was chimerical. His most definite pronouncement was when he plumped for alternative (b) in paragraph 5 of Mr. MacDonnell's memorandum. The upshot of the discussion was a sort of agreement on several points, but so nebulous that I suggested our meeting the Acting Minister for Foreign Affairs next day to tabulate the results.

4. This led to a series of three meetings on the 8th and 9th June between the three sheikhs, Mr. MacDonnell and myself. At the outset they produced a counter-memorandum, a translation of which I enclose. Taking the two memoranda as a basis, we engaged in most terribly wearisome debates, which turned principally on four points, namely:—

- (a) The appointment and functions of the Hejaz Government official to be attached to the mission.
- (b) The question of how best to get such evidence as might be required, other than that already recorded on paper.
- (c) The question of what was to be considered notification within a reasonable time for the purpose of claims being admitted to investigation.
- (d) The question of access to and facilities in Hejaz-Nejd territory.

5. Points (a) and (b) gave rise to comparatively little difficulty. It was agreed that one and the same official should act as representative attached to the mission for purposes of liaison, issuing summonses and the submission of cases. The official in view was produced at one of the meetings. He proved to be one Sheikh Abdul Aziz, an assistant to the Governor of Jedda. He is not held of great account locally, but, if all that his introducers said of him is true, he would appear to be a walking encyclopædia of information relative to raids. As for point (b), there was obvious force in the King's suggestion that it would be difficult to muster promiscuous tribesmen at short notice from all quarters, and it was important to avoid, if possible, a situation in which, the attempt to do so having failed, Ibn Saud could say: "Told you so!" Mr. MacDonnell therefore agreed, without committing himself, to consider benevolently the suggestion that the tribes near the frontier should be represented by a certain number of spokesmen.

6. The three sheikhs were incredibly tiresome over point (c), and hours were wasted. The King had broached the matter at the audience and seemed satisfied with an explanation to the effect that the formula "within a reasonable time" was intended to be interpreted in the most favourable sense. In the subsequent discussions it was not clear whether His Majesty was more anxious to secure the admission of all claims or the recognition of all which had not been notified without delay. In the end the three sheikhs seemed to be arguing in favour of the latter thesis, under some suspicion that the Transjordan side would produce quantities of hitherto unnotified claims. Mr. MacDonnell vainly pointed out that he had merely cited his instructions by way of preface to his memorandum, and that his instructions tied him as coming from His Majesty's Government, who had sent him out. I argued, equally vainly, that any view previously held by the King (for his representatives were insistent that he had always held strong views on the subject) remained intact, and that he could not question the instructions given to Mr. MacDonnell without withdrawing partially from his undertaking to give His Majesty's Government a free hand. I will explain presently how the matter was disposed of.

7. The King and the three sheikhs preferred to express no views as to where Mr. MacDonnell should hold his enquiry. They insisted, however, that there could be no necessity for entering Hejaz-Nejd territory. They maintained, further, that the state of the country (due, it was added as an afterthought, not to the turbulence of the innocent Nejd, but to the prevalence of wicked Transjordan raiders) was such as to make any visit to Hejaz-Nejd territory most inadvisable. All the eloquence of Mr. MacDonnell and myself could not move them from this position.

8. On the afternoon of the 8th June I prepared, in consultation with Mr. MacDonnell, a draft record of points already agreed on or on which we thought agreement might be reached on the lines of the draft. I enclose a copy of this draft, which I sent to Fuad Hamza late that evening. The King countered next morning with a letter to Mr. MacDonnell, a translation of which I also enclose. Whit Monday passed in two desperate discussions. Towards the end I suggested that, if nothing could be agreed on as regards points (c) and (d) in the record, I should deal with them in a covering letter to the Acting Minister for Foreign Affairs. While I was drafting a possible letter for this purpose, Sheikhs Yussef Yasin and Hafiz

Wahba went out to pray on the verandah of the Legation, where we were sitting. I do not know the purport of their devotions, but that draft was finally accepted by the King. I enclose copies of the record as finally drawn up and the covering letter, with which I handed it to Sheikh Fuad Hamza at a formal meeting held on the morning of the 10th June to make sure that the texts were, in fact, agreed.

9. The results of all this labour were meagre, but they are of some value, especially the promises regarding the Hejaz Government agent. The affability of both sides survived the great strain put upon it. On the night of the 8th June the King entertained Mr. MacDonnell, myself, with the principal members of my staff and the commander and two officers of H.M.S. "Clematis," at a great dinner. He was in a very merry monarch mood, told us much about the stars, and cracked jokes with the Keeper of the Key of the Kaaba. He received Mr. MacDonnell in farewell audience before he left on the afternoon of the 10th June, and was again most forthcoming though more serious. He excused himself for having seemed stiff and ungracious during the negotiations, saying that he had been seeking in a spirit of truth to enter only into such commitments as he could fulfil. I took it on me to reply to this part of His Majesty's remarks. I assured him that there had been no ungraciousness, and that, if there had been stiffness, it had not been all on one side. I myself, I said, believed in plain though polite speaking as the best method of discussion, and felt that, when hard nuts had to be cracked, strong means had to be used to get at the kernel. I hoped that, before he was finished, Mr. MacDonnell would produce a whole basketful of nicely-shelled walnuts. In this exchange, which followed on Mr. MacDonnell's personal expression of thanks for the courtesy shown him, I had in mind the necessity I should be under of expressing myself very categorically in later discussions with the King on the general frontier situation and other subjects.

10. I am sending copies of this despatch and enclosures to His Majesty's High Commissioner for Palestine and to Mr. MacDonnell.

I have, &c.

ANDREW RYAN.

Enclosure 1 in No. 8.

Memorandum by Mr. M. S. MacDonnell for submission to His Majesty the King of the Hejaz and of Nejd and its Dependencies.

THE instructions of His Britannic Majesty's Government are that I should examine all claims arising out of raids, committed between the conclusion of the Hadda Agreement of the 2nd November, 1925 (the 15th Rabi Thani, 1344) and the date of the beginning of my mission, which have been the subject of official notification by the Governments of Hejaz-Nejd and Transjordan, provided that such notification was made within a reasonable time of the occurrence of the raid, or that there was good and sufficient cause for any delay in notification.

2. In order to enable me to carry out my mission the co-operation of the two Governments directly concerned is obviously an essential condition, and I am directed to apply to the Hejaz Government for assistance which would especially take the form of ensuring that any persons concerned as parties or witnesses, whose attendance is required by me, should be immediately forthcoming when summoned. The Transjordan Government has already agreed to attach to my mission a responsible official with specific authority to call in all persons required by me, and to ensure their attendance whenever and wherever required by me, and to ensure the prompt execution of such orders as I may find it necessary to issue for the purposes of my mission. I am instructed to request that His Majesty the King may be pleased to attach an official with similar powers to my mission, and to inform me of the tenor of the orders given to this official.

3. It has been left to my discretion, in accordance with the freedom of action allowed me under the arrangements already made with the two Governments concerned, to select any place or places for examining the claims. I am not yet in a position to state definitely what place may eventually be found most suitable. The main factors in fixing the headquarters of the mission will be facilities of communication, accessibility to the interested parties and adequate accommodation. It will consequently be of assistance to me to hear any suggestions that His Majesty the King may wish to make on this point and to receive any information as to the

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localities in which the members of the Hejaz-Nejd tribes concerned will be found during the present summer season.

4. The Transjordan Government has undertaken to supply me with the transport, escorts, guides and accommodation necessary while I am in its territories. I am instructed to request that His Majesty the King may be pleased to order the same facilities to be accorded to me within His Majesty's territories. It may in practice be more convenient that I should make use alternatively of any means of transport placed at my disposal by the British authorities in Transjordan. As it is the desire of all parties to facilitate the rapid accomplishment of my task, I trust I may assume that His Majesty the King will have no objection to my continuing to use for the prosecution of necessary enquiries in His Majesty's territory any transport already placed at my disposal by other authorities.

5. The procedure to be adopted to arrive at a clear understanding of the claims put forward has also been left to my discretion. I have been considering the comparative advantages of two methods, viz.: (a) A Bedouin tribunal, with myself as president, to hear each case; and (b) the submission of the cases by a competent person nominated by each Government to sustain claims of its nationals falling within the scope of my instructions as defined in paragraph 1 above. The first procedure has certain definite advantages, but may involve considerable delays. The second is not open to this objection, but may give rise to others from the point of view of the two Governments. I should consequently be glad to receive an expression of the opinion of His Majesty on this point, in the course of the intended audience.

6. His Britannic Majesty's Government attach importance to a speedy termination of my mission. It is my intention, after reaching an agreement with His Majesty the King, when I have the honour of being received by him, to proceed to Transjordan to consult similarly with His Highness the Emir and the Government of that territory.

Jedda, June 6, 1930.

Enclosure 2 in No. 8.

Sheikh Fuad Hamza to Sir A. Ryan.

(Translation.)

Your Excellency,

12.1.1349 (June 8, 1930).

WITH reference to your Excellency's memorandum of 2.1.1349 (the 6th June, 1930), I have the honour to send you a memorandum in reply containing the answers and observations which the Government of His Majesty give concerning Mr. MacDonnell's memorandum of the same date.

As Mr. MacDonnell exhibited to His Majesty in the audience that took place on the 7th June the commission given to him by His Majesty King George V, and as His Majesty has seen it, I have the honour to return it to your Excellency herewith so that you may be good enough to deliver it to Mr. MacDonnell.

The Hejaz Government, who attach great importance to the settlement with Transjordan of the question of looted property (raids?), are prepared to offer all possible assistance to facilitate Mr. MacDonnell's mission.

With highest respects,

FUAD HAMZA.

Sub-Enclosure to Enclosure 2.

Memorandum in reply to Mr. MacDonnell's Memorandum.

(Translation.)

12.1.1349 (June 8, 1930).

Although His Majesty has confidence in the British Government and the representative selected by them to conduct the investigation, he draws attention to the necessity of explaining the basis upon which the arbitrator will accept claims for raids in respect of which a long delay has occurred before official notification was made and how he will define the reasonable period which will make the notification acceptable.

His Majesty agrees to attach to the mission a competent official authorised to summon Hejaz-Nejd nationals or witnesses whose evidence the arbitrator may find

it necessary to take. But His Majesty thinks that there is much less hope of success if this system is employed than if the arbitrator were now to appoint, after discussion with His Majesty's Government (the Hejaz Government), a number of persons, chosen from every tribe, whether raiders or raided, to represent the interests of the tribes concerned and to give information on their behalf. His Majesty, therefore, expects that Mr. MacDonnell will agree to choose those people instead of leaving to the official to be attached to the mission the question of summoning those individuals whose evidence the arbitrator wishes to hear. His Majesty believes that choosing representatives from the tribes will tend to accelerate the work and will make success more certain.

If Mr. MacDonnell insists in his opinion that persons should not be appointed now and that this should be left until the need for it arises, His Majesty is prepared to accept the request, but he does not undertake to guarantee success if such a procedure is followed.

His Majesty has not yet been able to give a decision with regard to the place in which the arbitrator will carry out his investigation.

Neither is His Majesty able to give a reply to paragraph 4 of Mr. MacDonnell's memorandum, as it is not possible to answer this point before fixing the place in which the arbitrator will carry out his investigation; when that is fixed His Majesty will be able to give a decision on the subject.

In the opinion of His Majesty, the procedure which should be followed in the investigation is that a representative should be appointed by the Government of His Majesty (Hejaz Government) to defend the point of view of the Hejaz-Nejd tribes and to produce the documents of which the arbitrator has need; moreover, His Majesty thinks that this person should be identical with the individual whom it is suggested to attach to the mission.

His Majesty thinks it essential that the evidence of the tribesmen who took refuge on the other side (of the frontier) should not be taken if it is against their own Government or their fellow tribesmen. This rule should be applied to the tribes of both sides.

His Majesty considers it an essential condition that the raided party shall accept those persons who shall be selected by the arbitrator from their own people to defend their action and support their claim.

[Enclosure 3 not printed.]

Enclosure 4 in No. 8.

Ibn Saud to Mr. MacDonnell.

(Translation.)

June 9, 1930.

WE regret to learn from our representatives that you thought that we had changed the opinion which we gave to the Government (British) and to you expressing our confidence in the settlement of the question of raids between us and the Government of Transjordan, and that because we insisted upon the inadmissibility of claims which have not been notified.

If the British Government, when they authorised you (to act for them) and appointed you as their agent, instructed you to settle the case in accordance with the authorisation we gave them for that purpose, we accept and we have no objections. If, however, the British Government instructed you to submit your memorandum to us for an expression of our opinion thereon, then our opinion is that which was explained to you by our representatives, and is confirmed by us at the beginning of the memorandum presented to you through our representatives on the 8th June.

With respects,
(Seal) IBN SAUD.

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Enclosure 5 in No. 8.

Sir A. Ryan to Fuad Hamza.

My dear Minister,

Jedda, June 10, 1930.

WITH reference to the discussions which have taken place between His Majesty the King and his advisers, Mr. MacDonnell and myself during the last three days, I enclose the record as finally drawn up of the points agreed upon.

We discussed at some length the question raised by His Majesty on the use of the words "such notification was made within a reasonable delay," &c., in the first paragraph of Mr. MacDonnell's memorandum of the 6th June. As Mr. MacDonnell pointed out, this matter is not one which he is really entitled to discuss, as he is bound by certain instructions from His Britannic Majesty's Government. I myself, as representative of the British Government, willingly note the views of His Majesty the King as expressed in your Excellency's memorandum of the 8th June and His Majesty's letter to Mr. MacDonnell of the 9th June, and I will not fail to bring those views to the notice of my Government.

In deference to the wishes of His Majesty, the record as finally drawn up contains no reference to the question of transport and accommodation for Mr. MacDonnell on the occasion of any journeys which he might wish to undertake into His Majesty's territory. His Majesty has expressed the view that no such journeys can be necessary or would be advisable. As His Britannic Majesty's Government, to whom His Majesty has given full power to arbitrate, have hitherto believed that their investigator would have a free hand to conduct his enquiries in whatever manner seemed best, I should be grateful if I could have, for submission to them, a statement of the reasons on which His Majesty founds his view.

Yours sincerely,

ANDREW RYAN.

Sub-Enclosure to Enclosure 5.

Record of Points agreed on in Discussions between His Majesty the King and his Advisers and Mr. MacDonnell on June 7, 8 and 9, with His Britannic Majesty's Minister present and assisting.

The Hejaz Government will attach to Mr. MacDonnell's mission an official, herein called "the agent," who will—

- (a) Serve as a channel of communication with the Hejaz Government for matters not requiring the intervention of His Britannic Majesty's Minister;
- (b) Serve as intermediary for such summonses as Mr. MacDonnell may have occasion to address to Hejaz-Nejd subjects with a view to elucidating claims;
- (c) Serve generally as the agent of the Hejaz-Nejd Government for the submission of claims put forward by persons subject to the authority of that Government and for the production of all necessary documents or other evidence in support of such claims.

2. As regards paragraph 1 (b) above, Mr. MacDonnell will, in view of the difficulty of securing the personal attendance of large numbers of Hejaz-Nejd subjects, consider the proposal that His Majesty should nominate representatives of the various tribes in the neighbourhood of the frontier to be at the disposal of Mr. MacDonnell, whenever notified through the agent, as spokesmen of the tribe concerned. Mr. MacDonnell will inform His Majesty through His Britannic Majesty's Minister of his conclusions on this point as soon as he has conferred with the authorities in Transjordan, in order that His Majesty may be able to issue instructions to the tribes without delay.

3. The question of the place or places at which Mr. MacDonnell should conduct his investigation is one which His Majesty prefers to leave to Mr. MacDonnell's discretion. Mr. MacDonnell will inform the Hejaz Government through His Britannic Majesty's Minister of his conclusions on this subject as soon as he has conferred with the authorities in Transjordan.

4. Mr. MacDonnell will consider the point raised in paragraph 6 of the Hejaz Government's memorandum of the 8th June and will confer on the subject with the authorities in Transjordan, who, as His Majesty himself indicates, are equally concerned. It appears to him, however, that all questions of the admissibility and value of particular kinds of evidence are such as can only be definitely settled by the investigator himself in the actual course of his enquiries.

5. Mr. MacDonnell takes note of the proposal in paragraph 7 of the Hejaz Government's memorandum of the 8th June. He will give this point his most careful consideration after he has conferred with the authorities in Transjordan. He understands that the point is put forward as being in accordance with accepted tribal practice, to which he is anxious to give full weight.

Jedda, June 10, 1930.

[E 3605/92/91]

No. 9.

Sir A. Ryan to Mr. A. Henderson.—(Received July 7.)

(No. 147.)

Sir,

Jedda, June 21, 1930.

WITH reference to Mr. Bond's despatch No. 103 of the 3rd May, I have the honour to forward the Jedda report for the month of May, 1930. I regret that owing to the numerous occupations incidental to my arrival and the pressure of work early in June entailed by Mr. MacDonnell's visit and the King's presence in Jedda, I have been unable to prepare the report earlier.

2. Copies of the report have been sent to Cairo, Bagdad, Jerusalem, Jerusalem for transmission to the Royal Air Force Officer Commanding in Palestine and Transjordan, Beirut, Damascus, Aden, Simla, Singapore, the Chief Secretary to the Government of the Federated Malay States, Kuala Lumpur, Khartum through Port Sudan, Lagos, the Senior Naval Officer, Red Sea sloop and His Majesty's consul at Basra.

I have, &c.

ANDREW RYAN.

Enclosure in No. 9.

*Jedda Report for Period May 1 to 31, 1930.**Internal Affairs and Frontier Questions.*

ALTHOUGH, as stated elsewhere, there have been vague rumours of "trouble in Nejd," no definite information came to hand during May regarding the situation in the interior.

2. The Government showed a tendency to represent the neighbourhood of the Transjordan frontier as being still the theatre of much raiding from the other side. It is difficult to judge whether this was based on fact or due to a desire to create a prejudicial atmosphere round the investigation into past raids about to be held by Mr. M. S. MacDonnell, who was to begin his labours by seeing Ibn Saud early in June. His Majesty's Government had once more reviewed the frontier situation as a whole in London in April and had on the 23rd April issued instructions to Sir Andrew Ryan to go into the whole question personally with Ibn Saud at an early date after his arrival in Jedda. The idea underlying the instructions was that an attempt should be made to get away from the atmosphere of protest and counter-protest which had grown round the question. The King was to be reminded that, by the appointment of Mr. MacDonnell, the necessary steps had been taken to liquidate the past. As regards the present and future, he was to be told in some detail what had been done on the Transjordan side in the way of developing the activities of the Tribal Control Board, providing the Frontier Force with mechanical transport and strengthening the local police. He was to be reproached with his own neglect, so far as His Majesty's Government knew, to take effective action on his side, special reference being made to his failure to punish the authors of the large scale raid conducted by his own officers, Ibn Masaa and Ibn Neshmi, in February. He was to be urged to take serious steps to control his tribes and to be urged to give immediate

effect to article 3 of the Hadda Agreement, which provides for the maintenance of direct contact between the authorities on both sides of the frontier, but which has never come into operation owing to Ibn Saud's attitude. Owing to the King's absence at Mecca no opportunity occurred during May of carrying out these instructions, but Sir Andrew Ryan prepared the ground in conversation with the Acting Minister for Foreign Affairs.

3. Reports continued to be current regarding an alleged intention on the part of Ibn Saud to attack the Yemen. They were of such a nature as to deserve some attention, but, at the same time, to necessitate great reserve in accepting them. One of the more precise rumours in May was that the Masariha tribe had destroyed the Nejd garrison at Abu Arish, inland from Jizan. It is possible that the King may have a troublesome situation in Asir itself. It is also possible that he may hope at a favourable opportunity to extend southward along the coast, where the boundary between Asir and Yemen remains undefined. But it seems improbable that he would try conclusions with the Imam of Sana in recognised Yemen territory.

4. The question of general negotiations between His Majesty's Government and Ibn Saud regarding Persian Gulf questions remained in abeyance during the month.

5. Much the most important event of the month in connexion with frontier relations was the despatch of letters from the King to King Feisal and Fuad Hamza to the Iraq Minister for Foreign Affairs intimating in studiously polite but definite language that Ibn Saud was not prepared to confirm the Treaty of Friendship and *Bon Voisinage*, agreed to in principle at the "Lupin" Conference and initialled by his Ministers at Bagdad on the 9th March, until such time as an extradition treaty should have been also negotiated. Fuad Hamza sent copies of these letters to Sir Andrew Ryan under cover of a personal letter of the 25th May and requested orally that, if the Iraq Government wished to know in advance the contents of the letters to Bagdad, they should be told by Sir F. Humphrys. On the 28th May, Sir Andrew Ryan had a long conversation with Fuad Hamza. He told him that he was conveying the information to His Majesty's Government and Sir Francis Humphrys and could not express any official view unless instructed to do so by the former. He gave it as his personal view that His Majesty's Government would be deeply disappointed at the setback to a rapprochement which they had done so much to promote and which had attracted more attention in Great Britain than any Arabian event of recent years. He recognised that the question of an extradition treaty had been associated with that of *Bon Voisinage* at an earlier stage, but pointed out that it had not been raised on board the "Lupin." He stressed the difficulty of negotiating such a treaty at an early stage in the establishment of normal relations and the desirability of proceeding by stages towards that friendship and confidence which it was sought to create between Iraq, a country which His Majesty's Government were steering on the path of independence and Hejaz-Nejd, an already independent country towards which they were well disposed. On the 31st May Sir Andrew Ryan was authorised to make an official communication on the lines of what he had said as from himself, subject to any observations that might be made by Sir Francis Humphrys. The latter endorsed Sir Andrew Ryan's views with the additions that a deplorable impression would be created in the Iraq Government also and a reminder that the rejected agreement embodied King Feisal's recognition of Ibn Saud, a recognition to which the former had only agreed under strong pressure by Sir Francis. Ibn Saud's resentment over the non-return of Ibn Mashhur would appear to have much to do with his attitude in this matter.

International Relations.

6. His Majesty's Minister arrived in Jedda in H.M.S. "Dahlia" on the 6th May. The Hejaz authorities showed the courtesies usual here. An officer was sent on board with a first message of welcome. The Governor of Jedda came down to the landing stage. In the ensuing twenty-four hours the King had further messages of welcome telephoned twice from Mecca, expressing regret that he could not receive Sir Andrew Ryan until he had finished with the pilgrimage. On the 7th May His Majesty came specially from Mecca to Jedda to receive Sir Andrew Ryan's credentials. The protocol adopted by the Hejaz Government some months previously was closely followed. It appears to be an adaption of the old Turkish protocol for the reception of the Ambassadors. The speeches exchanged were conventional but cordial, and in the less formal part of the audience which followed the

King displayed great affability. Photographs were taken by a press photographer from Egypt. The King himself appeared in one group. Sheikh Fuad Hamza entertained Sir Andrew Ryan and his staff at dinner in the evening. Many of the guests had double goes that day, as they had had to dine early with the King before he returned to Mecca. Ibn Saud did not revisit Jedda up to the end of May.

7. The King received on the 3rd May the Polish mission under Count Edward Raczynsky, who was accompanied to Jedda by his English wife and also by one Dr. Sinkiewicz, the head of the Moslem community in Poland. The objects of the mission were apparently to inform Ibn Saud of his formal recognition by Poland, to establish relations and to make some sort of commercial agreement. The envoy, in his speech, used fulsome language of the King's reputation among the Moslems of Poland (a fraction, according to the "Statesman's Year Book," of the 3 per cent. of miscellaneous elements in the population, totalling altogether 85,873 souls) as "the most pious King and greatest defender of religion." Comparisons were freely drawn on both sides between the Arab and Polish nations as exponents of heroism and votaries of liberty. It is not known what, if any, arrangements were made on the lower plane of commerce. There is at least one Pole in the country, a chauffeur who was engaged by the Emir Feisal, embraced Islam as *casuel du métier*, and after vicissitudes due to the newness of his conversion and other causes, was allowed to drive to Mecca.

8. The Netherlands representative, M. Van de Meulen, informed his colleagues on the 26th May that the Dutch consulate had been transformed into a Legation, and he himself appointed Chargé d'Affaires. Of the eight agencies, &c., maintained by foreign Powers at Jedda, six are now diplomatic missions, viz., the Soviet Legation (Minister, M. Touracouloff, an agreeable Moslem from Turkestan), the British Legation, the Turkish Legation ("Diplomatic Representative" of status otherwise undefined, Seni Bey, a Constantinople Turk of the old school, modernised), the French consulate (still so-called, although M. Maigret is Chargé d'Affaires, accredited as such to the King), the Persian Legation (diplomatic representative and Chargé d'Affaires, Habibulla Khan Hoveida), and the newly-made Dutch Legation. The Italian and Egyptian missions remain consulates.

Air Questions.

9. On the 4th May the Emir Feisal, the Acting Minister for Foreign Affairs, addressed a strong protest to the Legation because a British aeroplane had visited Darin Island on the 13th April, and had flown over Nejd territory, coming and going without previous notice. The Emir based his protest partly on a statement that the incident had confused public opinion, and had been reported with exaggeration in the Egyptian press. On enquiry, it was found that the visit complained of was that of a Royal Air Force flying boat, which called at Darin at considerable inconvenience on a return voyage from India, to provide the Hejaz-Nejd Air Force with spare parts and help in connexion with its wireless installation. Sir Andrew Ryan explained matters to Fuad Hamza orally, and suggested to His Majesty's Government that any formal reply in writing should be explanatory rather than definitely apologetic.

10. The incident shows how ready the Hejaz Government are to take offence and to make their real or pretended susceptibility felt. On the 28th May Sir Andrew Ryan made a general statement to Sheikh Fuad Hamza, which, he said, he intended to confirm more briefly to the King, regarding His Majesty's Government's attitude towards matters in this country. The terms of the statement were (a) that any appearance of intervention by His Majesty's Government in the affairs of the Hejaz-Nejd Air Force should be regarded in its true light, as being solely due to their desire to promote the success of a force, which was undoubtedly Ibn Saud's own concern, but which they had helped him to create; and (b) that, while scrupulously respectful of Ibn Saud's sovereign rights, His Majesty's Government were anxious to see him come into the modern movement of all civilised Powers in the direction of facilitating the development of international aerial communication by a liberal policy in regard to flying over. Sir Andrew Ryan begged the Hejaz Government to receive any representations which he might from time to time have to make (e.g., in connexion with pearling flights between Basra and Bahrein or eventual air routes on a greater scale), not as isolated attempts at encroachment, but as leading up to the ideal he had described.

11. One of the things which provided the opportunity for this statement was the action of His Majesty's Government in advising the King to dismiss one of the

pilots of the Hejaz-Nejd Air Force, whose drunken misconduct on one occasion and generally subversive attitude was threatening the moral and discipline of the force. Following on explanations given to Sheikh Fuad Hamza at the instance of the Political Resident in the Persian Gulf, the man was duly discharged as from the 20th May, but Ibn Saud elected not to engaged a successor for the time being.

Pilgrimage and Connected Matter.

12. The Qurban Bairam festival, which is the culminating point of the pilgrimage, began on the 9th May, making this one of those years of special blessing when the Haj proper starts on a Friday. The prospect of this is reputed to draw an increased number of pilgrims, but the numbers for most countries, except the Dutch East Indies, showed a falling off as compared with last year. The Mecca newspaper, the "Um-el-Qura," gives the following estimate of pilgrims who arrived by sea in 1930:—

Nationality—	Total.
Javanese (? including Malays)	35,871
Egyptian	17,136
Indians	11,457
Others	20,357
	<hr/> 84,821

13. The weather during the festival, and indeed throughout most of May, was relatively cool. Pilgrimage conditions were generally favourable. There were no epidemics and isolated cases of serious disease were not numerous. The use of motor cars for the journey from Mecca to Arafat and Muna was allowed for the first time and some advantage was taken of the innovation. The King brought into operation and personally superintended arrangements for the departure of the pilgrims from Mecca in batches, a system which seems to have given good results. The dispersal of pilgrims leaving Jedda by sea proceeded with unusually little difficulty up to the end of the month. This generally satisfactory situation was marred in the latter part of May by the untoward circumstances described in the following paragraphs.

14. The Hejaz authorities had, on the 12th May, officially declared the pilgrimage clean and the claim appeared to be justified. On the 22nd May, however, the Egyptian Sanitary Board announced that they had brought into application articles 140 and 141 of the Paris Convention of 1926 owing to the discovery at Tor of a suspect case or cases of cholera. This was followed by a report from Massowah of an ascertained case, resulting in death on the 27th May, among pilgrims arriving in that port. The measures taken have caused a considerable dislocation of shipping and some controversy based on the apparently true assertion that no cholera has been detected in the Hejaz itself, but these consequences will come more properly into the monthly report for June.

15. A disaster unprecedented in the annals of this port, although not in the history of pilgrim ships elsewhere, occurred on the evening of the 21st May, when the steamship "Asia," of the French Fabre line, caught fire at anchor in the outer harbour. She had been loaded with a full complement of some 1,500 pilgrims, mostly from the Yemen, but including about 300 from French Somaliland. About 115 persons perished on board or by drowning. The British pilgrim ships in port rendered all possible assistance, and the local authorities did well in the matter of organising relief on shore. The disaster gave rise to the most contradictory reports as to the origin of the fire and the action of the French captain and officers, both as regards their handling of the situation and their personal conduct. None of the points at issue can be said to have been elucidated. The local authorities embarked on an enquiry, but showed little capacity for conducting it in a way calculated to inspire confidence in any conclusions. The "Asia," already an old ship, was completely gutted. Some days after the fire she was diverted on to a reef and any danger of her encumbering the fairway or sinking in deep water seems to have been averted.

16. The increased use of motor transport in connexion with the pilgrimage has brought minor troubles in its train. For instance, eleven out of forty pilgrim motor buses collected for the night at Bir Ben Hussaini on the Jedda-Medina road, were burnt out on the 23rd May. Although there was no loss of life, considerable disorganisation was caused. There has also been a number of cases of cars overturning in which two deputy collectors from India, amongst others, were seriously injured.

The initial use made this year of cars on the narrow Mecca to Arafat and Muna road created considerable panic amongst the staid and traditional camel caravans.

17. Previously to the unfortunate happenings recorded in paragraphs 14 and 15 above, a regatta for the pilgrim ships was held on the 10th May, an old custom which was revived in 1929 after many years of abeyance. The presence in port of H.M.S. "Dahlia," which remained for a week after bringing Sir Andrew Ryan from Port Sudan, contributed much to the success of this year's regatta and special praise is due to Commander Jackson, R.N., and his officers for the manner in which they helped things forward without imposing themselves on the commanders of the pilgrim ships. The latter themselves worked harmoniously, with the result that the regatta, if it left a good deal to be desired as regards the actual racing organisation, was extremely successful as a *festa*. The local authorities showed sympathetic interest and the Governor of Jedda, who is also a leading shipping agent, contributed £15 to the funds. Subscriptions exceeded expenditure by £50, which sum has been divided between local charities, the Port Sudan Seamen's Institute and Dutch Seamen's charities.

Miscellaneous.

18. Sheikh Fuad Hamza returned to Jedda *en route* for Mecca on the 8th May and was confirmed in his former duties of Acting Minister for Foreign Affairs some days later. He had not been back in this country since he left to attend the "Lupin" Conference. He had devoted his holiday to getting married and brought back his bride, a lady of the Lebanon. She found Mecca very trying, and her husband told Sir Andrew Ryan on the 28th May that he hoped to install her at Taif, a circumstance of possible importance, as it might incline the sheikh to advocate the more strongly the idea of making the place accessible to Europeans, a project of which he spoke hopefully to Sir Andrew Ryan in the same conversation.

19. Ibn Saud's heir apparent, the Emir Saud, arrived in Jedda on the 25th May, his first visit since 1926. He received the foreign representatives with Royal ceremony next day, and most of them attended a dinner given in his honour by the local authorities the same evening. The prince had intended to make a stay of some days but countermanded all his engagements on the 27th May. This was attributed by the quidnuncs to bad news from Riyadh and it was suggested that the Emir would be sent to show his father's sword in Nejd, but he was still at Mecca at the end of the month.

20. Ibn Saud now uses for residential and official purposes in Jedda a house between Eve's Tomb and the town walls which has been named the Green Palace. It was built by the Director of Customs, a gentleman who has grown rich in his office, and seems to have presented it to the King. It is a passable house, built on rather an odd plan and makes but a moderate Palace. Various extensions are, however, being carried out.

21. Ibn Saud's return to the Hejaz has been accompanied by a certain tendency towards the stricter enforcement of restrictions imposed in accordance with the principles or prejudices of Wahabism, but few definite steps in this direction were taken during May, at any rate in Jedda. Europeans had perhaps more difficulty in procuring illicit supplies of alcohol. Moslems were debarred from frequenting Eve's Tomb and the doors were walled up. There was even talk of incorporating it in a garden for the Royal Palace. But Jedda remains the home of laxity. The voice of the menaced gramophone is still heard in the land. Evenings spent on the veranda of the British Legation house were more than once during the month beguiled by sounds of merriment from the gaol opposite. The Governor, a frank latitudinarian, still offers cigarettes. Even Fuad Hamza, when he entertained His Majesty's Minister at dinner on the 17th May, explained that they were not served in his house but that Sir Andrew Ryan was free to smoke his own.

22. It is hard for a newcomer to judge whether Ibn Saud imposes or seeks to impose restrictions of the above kind from conviction or from policy. Mr. St. John Philby (who was still strongly hoping at the end of May to get the contract for an extensive internal system of wireless for Marconi's) takes a very moderate view of his beloved Monarch's devotion to real Wahabism. His desire, he avers, is to slide away from it into all kinds of modernity and thus to make Arabia what Mr. Philby himself says it is destined to be, a Great Power. There has been some rumour of the King's intending to declare himself Caliph; even of his declaring himself a Sunni, though why a Wahabi is not already a Sunni is not stated. The King himself delivered a

flowing Moslem speech at a banquet in Jedda during the pilgrimage season. He insisted on the need for union among Moslems, whose religion should be purified and should be recognised as the perfect system. They should put all their trust in God, in contrast to the Europeans, whose trust is in iron, electricity and the like. For himself he disclaimed any glory in titles, &c., and said that he gloried only in Islam. He taunted Moslem writers in the press with their readiness to argue gently with Europeans but acrimoniously among themselves.

[E 3763/223/91]

No. 10.

Sir A. Ryan to Mr. A. Henderson.—(Received July 14.)

(No. 105.)

(Telegraphic.) R.

Jedda, July 12, 1930.

I HAVE now received copy of letter which the Acting Minister for Foreign Affairs says that he sent on 12th June in reply to my letter of 10th June covering "record," but original of which appears to have miscarried.

Letter confirms written and oral opinions expressed during negotiations here regarding the words "provided such notification was made within reasonable time." The writer insists that the King's attitude is similar to that which he took up in 1928 and has since maintained. He therefore attaches much importance to attention of His Majesty's Government being given it and to their treating it with consideration in their instructions to MacDonnell.

Letter goes on to say that King's attitude towards journeys into Nejd is not based on any consideration of undesirability or doubtful personality to [sic] MacDonnell, but on various factors, the most important of which are as follows:—

1. Hejaz Government had no previous knowledge of intention to make such journeys.
2. There are no facilities for comfort and accommodation in frontier districts.
3. There is, more particularly, no sufficient guarantee for MacDonnell's safety, owing to numerous raids and operations carried out by Transjordanian tribes in area in question.
4. There are administrative reasons in the interior which make it undesirable to allow any foreign subject, whatsoever his capacity, to penetrate amongst the Nejd tribes, whose apprehensions make them very watchful.

This statement seems to call for reply.

Reference to past disputes over the first point seems to indicate that the King's main anxiety still is to reduce the number of Transjordanian claims admitted to investigation (see Colonial Office memorandum appended to MacDonnell's instructions).

I feel strongly that position taken up in regard to second point is wholly indefensible, but I see little prospect of moving authorities here from it. I have asked MacDonnell by telegraph for up-to-date expression of views as to practical importance of obtaining facilities. I will inform you of his reply. If he does not consider the matter important in itself, formal reservation may suffice.

(Repeated to Jerusalem, No. 152.)

[E 3902/1308/91]

No. 11.

Sir A. Ryan to Mr. A. Henderson.—(Received July 21.)

(No. 112.)

(Telegraphic.) R.

Jedda, July 20, 1930.

YOUR telegram No. 100, last paragraph.

Acting Minister for Foreign Affairs arrived here 11th July and left on the 18th. We discussed position as regards "Bon-Voisinage" Agreement very closely in general conversations.

At first meeting I handed Minister Sir F. Humphrys's personal letter for delivery to King and read translation. We speedily reached point at which he reaffirmed the King's desire to meet wishes of His Majesty's Government, but intimated that His Majesty had been expecting a further lead. I explained why I had stopped where I did on 11th June. My definite advice now (and it was also

presumably recommendation of His Majesty's Government) was that "Bon-Voisinage" Agreement should be completed without reference to course of extradition negotiations, on which, however, I understood that Iraq Government had in a recent direct letter expressed willingness to embark. This being the position, I expressed the opinion, but only as from myself, that advantage might be taken of any meeting of delegates for signature of "Bon-Voisinage" Agreement to initiate extradition negotiations.

Minister's attitude was favourable, and we discussed details, viz.:—

1. Place of meeting. I said I would put forward any proposal, but if Jedda were suggested I would support it only on the clearest understanding that if extradition negotiations were initiated at the same time "Bon-Voisinage" Agreement would be not only signed but ratified independently.
2. Fuad understood this, but pointed out that ratification by Iraq would require sanction of Parliament. I admitted that ratification might have to be simultaneous, and that this might entail delay, but said it did not affect the principle of separating two questions; answer was being prepared for Iraq Government on subject of political offenders. Ibn Saud was prepared to exclude genuine political offences from operation of future extradition treaty, but adhered to the view that all tribal criminal activities should be considered non-political, else disaffected tribesmen would always think they could hope for impunity by crossing the frontier. He asked me definitely to support this, and suggested that His Majesty's Government had shown disposition to do so at the time of the Clayton negotiations. I maintained amiable but non-committal attitude on this point throughout the conversations.
- 4 [sic]. Fuad wished to know whether absence of King Feisal and Iraq Minister for Foreign Affairs would entail delay. I suggested it need not, as Iraq Government had regular regency arrangements, &c.

Fuad asked me not to report until he had taken the King's further instructions. When we resumed, on 17th July, he was much more vague. I finally elicited the fact that the King wanted in appearance to satisfy His Majesty's Government, but to have his way about political offenders. Final suggestion of [group omitted] was that understanding on that subject should be embodied in some instrument (special article of protocol or letters) forming part of or accompanying "Bon-Voisinage" Agreement. This might, in Fuad's personal opinion, provide one of three alternatives as follows:—

1. Distinction, already suggested, between real political offenders of town type and tribesmen.
2. Agreed list of tribes on both sides, members of which would be given up on demand if accused of any sort of crime in country of origin.
3. Amendment of article 3 of Bahra Agreement providing that tribesmen should not cross the frontier without the permission of their own Government under penalty of expulsion by the Government on the other side.

I said that difficulty of agreement even in principle over political offenders was the crux of the whole matter, and that the King's attitude took us back for practical purposes to position before I saw His Majesty on 11th June. Fuad tried to deny this, but it alarmed him. In the evening he communicated result of further consultation with the King. The latter, he said, sincerely wanted to follow the advice of His Majesty's Government. If Iraq Government would send a representative to Jedda to sign "Bon-Voisinage" Agreement and to negotiate extradition treaty, he would act on our recommendation to complete the former; but he still attached the greatest importance to the support of His Majesty's Government in obtaining a settlement of political offenders question on the general lines he had indicated.

I gathered that the reply to Iraq Minister for Foreign Affairs stating Ibn Saud's views on political offenders would be despatched as soon as possible without awaiting any outcome of my conversations.

(Repeated to Bagdad.)

[E 3905/1/91]

No. 12.

Sir A. Ryan to Mr. A. Henderson.—(Received July 21.)(No. 114.)
(Telegraphic.)*Jedda, July 20, 1930.*

YOUR telegram No. 100, first paragraph.

I again explained position regarding Ibn Mashhur to Acting Minister for Foreign Affairs on 12th June. In that and subsequent conversations he promised definitely that necessary letters, including one to Ibn Mashhur, would be sent without delay. He said, however, that the King wished for definite arrangements for delivery [?] of Ibn Mashhur, if only because he could not be certain that his assurance of safety would be respected if person in question merely crossed the frontier. Fuad at first suggested alternatives of delivery by Iraq authorities in southern desert to representative of Ibn Saud or despatch of Ibn Mashhur by aeroplane to Jedda when Air Force came here. I suggested second course would not be very practical, but in final conversation on 17th July Fuad said that His Majesty would greatly prefer it, as he wished to see person in question before he returned to his own area. Other arrangements could be made for the return of his companions and property.

What line should I take? I am not replying separately to Bagdad wire to me, repeated to Colonial Office, No. 338. I feel that unless Iraq Government can contrive means to give substantial satisfaction over Ibn Mashhur that question will continue to envenom the whole situation of both His Majesty's Government and Iraq *vis-à-vis* Ibn Saud.

I reminded Fuad pointedly that £10,000 had been promised for 17th July, at the latest. He said definitely that Ministry of Finance had been instructed to arrange payment, but I have not received it. He referred spontaneously to Feisal's offer to accept £30,000. He said Ibn Saud had agreed at the time of "Lupin" conference to leave the whole matter in Feisal's hands, and was willing to accept offer, but that the Nejd counter-claims would have to be subject to separate assessment. I suggested offer was to accept named amount in full settlement of all claims both ways, but did not press the matter, as my main object is to get £10,000 paid.

(Repeated to Bagdad and Bushire, No. 162.)

[E 3916/1308/91]

No. 13.

Secretary of State for the Colonies to the Acting High Commissioner of Iraq (Bagdad).—(Received in Foreign Office, July 22.)

(No. 271.)

(Telegraphic.) P.

Colonial Office, July 18, 1930.

YOUR telegram No. 295 of the 24th June: Proposed Extradition Treaty with Hejaz-Nejd.

Foreign Office have asked that attention may be drawn to correspondence mentioned below as showing that, in 1928, Iraq Government had agreed to meet wishes of Ibn Saud with regard to question of extradition of political offenders:—

- (1) Your telegram No. 315 of the 12th June, 1928.
- (2) Paragraph 3 of your telegram No. 360 of the 15th July, 1928.
- (3) Paragraph 2 of enclosure to your secret despatch of the 18th July, 1928.

No action seems to be necessary pending receipt of reply from Fuad Hamza to Iraqi Prime Minister's letter mentioned in your telegram under reference, but in the event of Fuad Hamza urging in reply that any extradition treaty between the two Governments should permit extradition of tribesmen accused of political offences Iraq Government will no doubt keep in mind attitude which they adopted in 1928.

Since, however, the circumstances of 1928 no longer obtain, I should not regard Iraq Government as being bound to adopt in any current negotiation of an extradition treaty the attitude which they took up two years ago, when attempting to reach a comprehensive settlement with Ibn Saud. It might, however, become necessary to reconsider the matter if Ibn Saud were to persist to the point of making the political offences concession a prior condition to the final signature of the "Bon-Voisinage" Agreement.

(Repeated to Jedda, No. 103.)

[E 4049/334/91]

No. 14.

Sir A. Ryan to Mr. A. Henderson.—(Received July 28.)

(No. 158. Confidential.)

Sir,

Jedda, July 1, 1930.

WITH reference to my telegrams Nos. 94 and 95 of the 30th June, I have the honour to state that Sheikh Hafiz Wahba, the Hejaz-Nejd Minister Designate in London, left for his post to-day, taking the Khedivial steamship "Taif" as far as Suez. I gave a small dinner party in his honour last evening, in the course of which he said that he expected to stay about a fortnight in Egypt and would go on to London via Marseilles.

2. The record of Sheikh Hafiz Wahba is so well known to you that it is unnecessary for me to say anything of his antecedents. I have not seen enough of him to have formed any personal estimate of his present outlook. I give with reserve the following impressions derived from reports which have reached me:—

- (a) He would be glad to see much closer relations between Great Britain and this country on terms favourable to the latter.
- (b) He is hostile to the "Syrian party," the protagonists in which are Sheikhs Fuad Hamza and Yussef Yassin, and is specially hostile towards the latter.
- (c) His own position *vis-à-vis* of the King is probably that the latter values his opinions, but frequently finds them unpalatable. He himself finds the King difficult. He told one of my informants, nevertheless, that a special code had been arranged which would enable him to communicate with Ibn Saud independently of the Syrians.
- (d) He does not think that the King is disposed to break with the Syrians at present, perhaps for reasons connected with ultimate aspirations in regard to Syria. It is suggested even that Ibn Saud hopes one day to secure the throne of that country for one of his sons.

3. I may mention in this connexion that reports have been rife for some time to the effect that the King intends to make the Emir Feisal Minister for Foreign Affairs, retaining the services of Fuad Hamza as a subordinate.

4. Hafiz Wahba told the informant already mentioned that the Hejaz Government intended to establish consulates at Bombay and Singapore, and that there was a dispute as to whether they should be under him as Minister in London or directly under the Ministry for Foreign Affairs here.

5. I am not circulating this despatch to any other post.

I have, &c.

ANDREW RYAN.

[E 4059/92/91]

No. 15.

Sir A. Ryan to Mr. A. Henderson.—(Received July 29.)

(No. 170.)

Sir,

Jedda, July 8, 1930.

I HAVE the honour to transmit herewith my report on the situation in the Hejaz-Nejd for the period the 1st to the 30th June, 1930.

2. Copies of this report have been sent to Cairo, Bagdad (2), Jerusalem (2), Jerusalem for transmission to the Royal Air Force Officer Commanding in Palestine and Transjordan, Beirut, Damascus, Aden, Simla, Singapore, the Chief Secretary to the Government of the Federated Malay States, Khartum, through Port Sudan, Lagos (2), the Senior Naval Officer, Red Sea Sloops, and His Majesty's consul at Basra.

I have, &c.

ANDREW RYAN.

Jedda Report for June 1 to 30, 1930.

Internal Affairs and Frontier Questions.

NEWS regarding the situation in the interior continues to be meagre, though rumours of trouble continued to be circulated throughout June. These rumours related largely to trouble near the Transjordan frontier and the region of Medina and Hail. It looked as though there might be something in them when the Emir Saud suddenly went off to Medina on the 16th June, but he returned a few days later and has not gone back. Reports from Amman do not point to anything unusual on the Hejaz-Nejd side of the frontier. In these circumstances the rumours as a whole may be dismissed as being greatly exaggerated. It was reported in June that the King had postponed *sine die* the attack on the Yemen which he was previously said to be contemplating and had decided to leave the Asir situation alone. If he has in fact made any backward movement in his attitude towards Yemen and Asir questions, it is probably at least as much due to financial stringency as to trouble further north.

2. Mr. M. S. MacDonnell, the investigator appointed by His Majesty's Government (as arbitrator agreed upon by the two Governments concerned) to enquire into past raids on the Hejaz-Nejd-Transjordan frontiers, arrived at Jedda in His Majesty's sloop "Clematis" on the 3rd June. The King had promised to receive him on the 6th June, but did not do so until next day owing to an indisposition of His Majesty, apparently genuine. The object of the visit was to establish personal touch and agree on certain bases for the conduct of the investigations. Before seeing the King, Mr. MacDonnell prepared a list of points for discussion. The King at first tried to ride him off at every point. He modified his attitude in the course of the business audiences and an agreement was reached on certain points, but it was so vague and incomplete that it was decided to make an attempt to define the situation more clearly in discussion with the King's advisers. This led to a series of most wearisome meetings on the 8th and 9th June between Mr. MacDonnell, assisted by His Majesty's Minister, and Sheikhs Fuad Hamza, Hafiz Wahba and Youssef Yasin. It was noticeable that the first-named had been relegated to a subordinate place and that Youssef Yasin played the principal rôle, though Ibn Saud himself followed the proceedings very closely in the background.

3. The three sheikhs were inconceivably tiresome on every point except one, which had been more or less definitely agreed with the King. This related to the appointment of an "agent" to facilitate Mr. MacDonnell's enquiry by producing necessary persons and also to present the cases of the Hejaz-Nejd subjects. The sheikhs took violent exception to a definition in Mr. MacDonnell's instructions from home of the range of cases he was to investigate in detail. They were, if possible, even stickier over a question arising out of Mr. MacDonnell's request for facilities for transport, &c., in Hejaz-Nejd. They stoutly maintained, under orders from the King, that it would be undesirable and unnecessary for Mr. MacDonnell to enter Hejaz-Nejd territory at any stage in his investigation. The King had, more reasonably, urged the difficulty of conducting the investigation by way of directly hearing large numbers of inaccessible witnesses. Mr. MacDonnell undertook to consider benevolently in consultation with the Transjordan authorities a proposal that the King should nominate a certain number of spokesmen drawn from the frontier tribes involved.

4. These were the principal points discussed. It was agreed to make an informal but written record of the results arrived at. This document in its final form dealt with the following points:—

- (1) The appointment of a Hejaz Government representative to serve (a) as channel of communication; (b) as intermediary for summonses; and (c) as agent for submission of claims, production of documents, &c.
- (2) Mr. MacDonnell's undertaking (see above) to consider the proposal that the frontier tribes should be represented by nominated spokesmen.
- (3) The King's desire that Mr. MacDonnell should himself fix at his discretion the place or places where he should hold his investigations.
- (4) and (5) Certain proposals of detail put forward by the King as to the non-admissibility of certain kinds of evidence and the procedure to be followed, proposals which Mr. MacDonnell did not consider it in the province of the Hejaz Government to make, but which he promised to consider.

5. Sir Andrew Ryan handed the record to Sheikh Fuad Hamza on the 10th June with a covering letter from himself in which he made the following reservations in regard to matters which had had to be omitted from the record:—

(a) He referred to the views expressed by the King in the stipulation in Mr. MacDonnell's instructions that, before embarking on the detailed examination of any claim, he should satisfy himself that it had been notified within a reasonable time or that there had been good and sufficient reasons for any delay. Sir Andrew Ryan confirmed Mr. MacDonnell's reply that he was not entitled to discuss the point, and he was bound by his instructions, but undertook himself as representative of His Majesty's Government to draw their attention to the point raised by the King.

(b) He referred to the omission from the records, in deference to the King's wishes, of any mention of provision for transport and accommodation in the Hejaz-Nejd territory. He pointed out that His Majesty's Government had expected that their investigator would be free to conduct his enquiries in whatever manner seemed best and asked for a statement of the reasons for the King's view that any visits to his territory would be unnecessary or undesirable.

6. These two documents amounted to little—ridiculous mice produced by a mountain of labour. It can only be hoped, dubiously, that one of them, the record, meagre as it is, may help Mr. MacDonnell to emerge from the net in which his enquiry will enmesh him. He left on the 10th June after a farewell audience in which the King excused himself for his apparent ungraciousness on the ground that he had only been pursuing ways of truth and sincerity. Mr. MacDonnell was to proceed to Amman via Port Sudan, Cairo, and Jerusalem, in order to establish similar contact with the Emir Abdullah.

7. No answer to Sir Andrew Ryan's letter of the 10th June had reached the Legation up to the end of June. When Fuad Hamza's attention was drawn to this late in the month, he positively stated that he had sent a reply next day. Steps have been taken to procure a duplicate of this lost communication.

8. It had been intended that, before Mr. MacDonnell saw the King, His Majesty's Minister should make the general communication regarding the Transjordan frontier situation contemplated in the Foreign Office instructions summarised in paragraph 2 of the May report. Owing to the King's illness this had to be postponed until after Mr. MacDonnell left. At his audience, on the 11th June, Sir Andrew Ryan made the communication. The King belittled the efforts made on the Transjordan side to control the situation. He stated that he had issued stringent orders for the punishment of raiders on his side and the return of loot. He said that he had taken suitable, though not public, action in regard to Ibn Musaad, the Governor of Hail, whose February performance he disapproved of and regretted, although he would not admit that they constituted a raid in the ordinary sense. He admitted that he had not done anything to carry out article 3 of the Hadda Agreement by placing his local authorities in direct touch with those on the Transjordan side. He had held back because he had had no confidence, but he now hoped to make the necessary arrangements for direct contact at an early date.

9. Meanwhile, protests regarding raids continue to be made. On the 2nd and 6th June Fuad Hamza weighed in with two lists of no less than twenty-seven raids on various dates from November 1928 to the 27th May, 1930.

10. A question has been pending for some time regarding the disposal of two parties of Druses, now in Nejd, whose leaders are Sultan Pasha El Atrash and Mahmoud-el-Halabi. These people are at a place called Nebk in inconvenient proximity to the portion of Transjordan adjoining Syria. It has been variously suggested during the last year that they might be settled in Southern Transjordan, that Ibn Saud might be moved to shift them further into the interior of Hejaz-Nejd, or that advantage might be taken of an offer to King Feisal to let them settle in Iraq. The last of these proposals held the field in June, and it may be unnecessary to pursue the idea of approaching Ibn Saud. No direct information is available regarding the attitude of the latter. The Druses themselves stated, towards the end of last year, that he had given them an ultimatum either to move into the interior or to leave his dominions. The Italian review "Oriente Moderno" for May talks of the probable conclusion of an extradition treaty between the mandatory Power in Syria and the Hejaz-Nejd Government and the possible connexion between this and a report that Sultan Pasha El Atrash had been warned to leave his present habitat.

The "Oriente Moderno" goes on to describe various alleged efforts by Syrians, Palestinians and Egyptians to get Ibn Saud to cancel the warning.

11. On the 9th June the Hejaz Government addressed to Sir Andrew Ryan a memorandum protesting strongly against the proceedings of a Transjordan officer, Abdulla Errihan, who was said to have presented himself at Qariat on the 5th May and tried to bluff the authorities there into letting him proceed to Jauf by pretending his journey was authorised by Ibn Saud. A telegram from Jerusalem dated the 24th June shows that the officer in question has more than once been employed for purposes of communication or attempted communication with the authorities in Nejd. Action in Jedda was delayed pending the receipt of further information from Sir John Chancellor.

12. At his audience of the King on the 11th June, His Majesty's Minister carried out his instructions (see May report, paragraph 5) to confirm officially what he had said as from himself regarding Ibn Saud's refusal to sign the *Bon-Voisinage* Agreement with Iraq pending the negotiation of an extradition treaty, with any additions suggested by Sir Francis Humphrys. The communication in its official form fell under three heads, viz. :—

- (1) The great disappointment experienced by His Majesty's Government in common with the Iraq Government and Sir Francis Humphrys.
- (2) The utility of the agreement, independently of any other merits, as an instrument embodying that recognition of Ibn Saud by King Feisal to which the latter had consented under pressure from Sir Francis Humphrys.
- (3) The difficulty, amounting at present to impossibility, of agreeing on an extradition treaty the negotiation of which might be expected to break down over disputes regarding "political offenders" apart from any other points.

13. Ibn Saud again insisted that a *Bon-Voisinage* Agreement without an extradition treaty would be valueless and impossible of honest observance. Subject to that, he was anxious, he said, to fall in with the views of His Majesty's Government and would sign the *Bon-Voisinage* Agreement, if they really wished him to do so. Sir Andrew Ryan did not take this as a formal assurance, but preferred to press the King no further without up-to-date information from the Iraq end. It was quite clear that the Ibn Mashhur affair was sticking hardest in the King's gizzard. Sir Andrew Ryan held out a certain hope that it would be disposed of in the near future. This hope is strengthened by later information from Bagdad which points to a real desire on the part of King Feisal to get Ibn Mashhur back into Nejd, provided they can both be assured that the promise of pardon given on board the "Lupin" will be kept. King Feisal wrote to Ibn Saud on the 14th June on the subject and suggested that he should send a direct assurance of pardon to Ibn Mashhur. This letter would appear not to have reached its destination up to the end of June.

14. There had been no further development at the Jedda end up to the end of the month in connexion with the *Bon-Voisinage* Agreement.

15. At the same audience on the 11th June—it went on for three and a half hours to the accompaniment of a scorching simoom—His Majesty's Minister put strong pressure on Ibn Saud to pay the £10,000 which, under the agreement negotiated by the Political Resident in the Persian Gulf in January, was to be paid to His Majesty's agency at Jedda on the 6th March last (5 Shawal) in anticipation of a final settlement of Iraq and Koweit claims against Nejd. Ibn Saud had withheld this payment, and when last previously approached had suggested that the payment was subject to certain conditions and expressed a wish to discuss the matter with Sir Andrew Ryan on arrival. Sir Andrew Ryan pointed out that the promise made by the King in his letter of the 27th January to Colonel Biscoe was entirely unconditional; that he had used language which made it clear that he was promising what he wished to appear an *ex gratia* payment on a fixed date now long past; and that he could not withhold the payment without breaking his Royal word. The King, still mainly influenced by his resentment over the Ibn Mashhur affair, tried hard to defend his position. In the end, he grudgingly more than half admitted the debt, but said he wanted to know how he really stood *vis-à-vis* of mandatory States like Iraq and Transjordan, whose interests His Majesty's Government always upheld, but for whose actions they seemed to be unwilling to accept any responsibility. Sir Andrew Ryan countered this thesis, dear to the King and perhaps still dearer to Fuad Hamza. At the end of the month he reminded the latter that he understood

the King to have promised to pay the £10,000. The prospect then was that it would be paid, but the situation may be affected by a letter from King Feisal to Ibn Saud, written early in June, offering to accept £30,000 in full settlement of all Iraq claims.

International Relations.

16. The Netherlands Chargé d'Affaires, M. Van de Meulen, presented letters of credence to King Ibn Saud on the 9th June. He left for Holland on the 26th June. The Persian representative has also gone on long leave, fervently hoping never to return.

17. Sheikh Hafiz Wahba, the Hejaz-Nejd Minister designate in London, arrived in Jedda on the 29th June with the intention of leaving for his post on the 1st July. This came rather as a surprise, as his departure had already been so long delayed and the King had of late kept him in such close attendance. It is possible, though this is mere surmise, that the Minister is being sent to explore the possibilities of raising money to relieve what is reported on all hands to have become a most difficult financial situation. The surmise derives some added plausibility from the fact that Abdurrahman Qusaibi of Bahrein, who came early in June to visit the King before going to do his pearl business in Paris, prolonged his stay a good deal beyond what was expected and finally arranged to leave with Hafiz Wahba.

18. The Mecca paper "Um-el-Qura" published on the 13th June the text of a treaty of friendship between Hejaz-Nejd and Persia, which was signed at Tehran on the 24th August, 1929. Accompanying texts show that ratifications were exchanged in Jedda on the 16th June, 1930. This treaty is in five articles. Article 1 makes the usual provision for permanent and increasing friendship. Article 2 provides for the exchange of Ministers and consuls, who will be treated in their respective territories in accordance with the principles of international law. Article 3 assures most-favoured-nation treatment to the subjects of the respective countries in the territories of the other, and provides that Persian pilgrims to the Hejaz shall be treated in the same way as other pilgrims, that no obstacle shall be put in their way and that measures shall be taken for their security. Article 4 foreshadows further agreements at a suitable time on political, economic, commercial and other matters. Article 5 provides for signature in Arabic and Persian texts of equal validity.

Air Matters.

19. On the 10th June, Sheikh Fuad Hamza informed Sir Andrew Ryan that King Ibn Saud had decided to transfer the Hejaz Air Force from Darin Island to Jedda. He asked that permission should be obtained for the flight of the aeroplanes over Koweit, Iraq and Transjordan, the direct route across the desert being still impracticable; for assistance from the British authorities in obtaining supplies of petrol, &c., and for the loan of an officer of the Royal Air Force to pilot the fourth aeroplane in place of the Hejaz Air Force pilot dismissed for misconduct in May (see May report, paragraph 11).

20. The various facilities asked for were duly arranged. A question arose as to whether the opportunity might not be taken of obtaining a *quid pro quo* in the shape of Ibn Saud's assent to the pearling flights between Bahrein and Basra, which the Air Ministry are anxious to organise (see May report, paragraph 10).

21. Sir Andrew Ryan advised against attempting a bargain which would make the arrangements for the transfer of the Air Force contingent on an agreement in regard to pearling flights. Before the question had been raised in this form at home and in Bagdad, he had spoken to the King on the 12th June on lines similar to those followed in his conversation with Sheikh Fuad Hamza on the 28th May (see May report, paragraph 10). In due course, he sent the King, on the 25th June, under cover of a note to the Acting Minister for Foreign Affairs, a letter in which he summed up the arrangements made to facilitate the transfer of the Air Force to Jedda in the various ways requested, and went on as follows :—

"Your Majesty will doubtless appreciate the strong spirit of goodwill shown by my Government in this as in other matters affecting the Hejaz-Nejd Air Force. They are confident that in considering the question of flights over the coast of El Hasa on which I had the honour to consult your Majesty on the 12th June, your Majesty will show an equal goodwill. The organisation of experimental pearling flights this year, if it were possible, would confer

great benefits on all concerned in an important industry which would be the means of providing experience which your Majesty also would find most useful in connexion with the future development of that portion of your dominions. In order to carry out the suggested experiment it would only be necessary that your Majesty should authorise a certain number of flights by Royal Air Force aeroplanes at regular intervals and should arrange for the marking out of one or two emergency landing grounds. These grounds need not be equipped with stores. They would merely serve as known places where in the case of necessity aeroplanes could land. The necessary marking out might be effected by your Majesty's Air Force before it leaves for Jedda, unless your Majesty preferred to enlist the assistance of the British authorities.

"I explained to your Majesty frankly on the 12th June the desire for collaboration between friendly Powers which animates my Government in considering all such projects. Your Majesty graciously promised to consider the matter in a similar spirit although you naturally desired to study it in all its aspects. I trust that your Majesty will find it possible to inform me of your conclusions on the subject in the near future."

22. One of several reasons for not connecting the two questions more directly was that early in June there had been fresh signs of disintegration in the personnel of the Hejaz Air Force. A second pilot seemed to be going the same way as the man discharged in May and some of the mechanics were increasingly insubordinate. The chief pilot had already made up his mind to recommend drastic action when the King's decision to transfer the force to Jedda was announced. In view of that decision, the British authorities concerned exerted themselves to stave off a crisis, hoping that things might be better once the transfer was effected. Fortunately, the King seems anxious to carry it out as soon as possible for at the end of the month the chief pilot received his orders to proceed to Jedda. If the transfer is effected on the lines laid down in the correspondence there will be a delay of about eight days at Hinaidi to enable the Royal Air Force to fit the Hejaz aeroplanes with certain improvements which have been introduced into all Wapiti aircraft used by His Majesty's Government.

Pilgrimage and Connected Matters.

23. Although the 1930 pilgrimage had been officially declared clean and there were no cases of cholera (or, indeed, any serious disease) in the Hejaz, the reported discovery in May of a suspected but unproven case of cholera at Tor Quarantine Station and the announcement of a death from cholera at Massowa (see May report, paragraph 14) caused the authorities at those two places to keep in operation throughout the month of June article 140 of the Paris Sanitary Convention of 1926. This meant that pilgrims were detained at Tor for at least eight days instead of the normal seventy-two hours. The resulting dislocation of shipping schedules caused considerable inconvenience and not to pilgrims only. The final exodus of the latter took place on the 27th June, when the last thousand left in the steamship "Jehangir" for India. A few hundred destitutes were all that remained at the end of the month for despatch to their respective lands.

24. No further light has been thrown on the causes of the disastrous fire in the French pilgrim ship "Asia" on the 21st May (see May report, paragraph 15). A French expert arrived in Jedda on the 15th June to investigate the present situation on behalf of the owners and the insurers, among whom British companies are interested to the extent of 40 per cent. This gentleman expressed the view that the fire could only have originated in imprudence among the pilgrims, adding that a passenger ship of the "Asia" type was entirely unsuitable for that class of traffic. He considered the ship itself a total loss, though he thought it might be worth removing in order to realise its value as a wreck. Before his arrival, Commander Ratsey of H.M.S. "Clematis" had taken certain soundings at the request of the local authorities. His conclusions were that the ship in the position to which it had been moved a few days after the fire did not constitute a danger to other ships frequenting the port and that it was sufficiently well grounded on the reef where it lies to be in no immediate danger of slipping off into deep water. The inept enquiry undertaken by the local authorities had not yet been concluded by the end of June.

25. Communications between Jedda and the outer world were much hampered by the dislocation of shipping caused by the restrictions imposed in consequence of the reported occurrence of cholera at Tor and Massowa in May (see May report,

paragraph 14). The Hejaz Government were extremely resentful of the aspersions cast on the cleanliness of the pilgrimage. They published in the "Um-el-Qura" of the 13th June a communiqué emphasising the fact that no cholera had been found to exist in the Hejaz itself and practically accusing the Egyptian and Italian authorities of faking the cases at Tor and Massowa. They sent a protest to the International Health Bureau at Paris, supported by evidence, including the statement of twenty-six doctors, native and foreign, that there had been no cholera here. Finally, they imposed some short-lived, but stupidly misapplied, quarantine restrictions of their own on ships arriving from Egypt on the ground that there was plague at Port Said; a measure which, though the plague was real enough, was probably in the nature of a reprisal.

26. The foreign authorities concerned in the cholera controversy naturally resented the Hejazian imputation on their good faith. The combined result of the quarantine and pique was that Jedda port was very ill served. People who had planned to leave Jedda were put to every sort of inconvenience. For others perhaps the bitterest moment was when, after no mail had been received for the best part of a month, they suddenly received seventeen numbers each of the "Times" and other daily papers and three issues of the weeklies all together. Having been so long deprived of news, reviews and cross-word puzzles, one was threatened with the fate of that poet who, having just escaped death by starvation, perished of a surfeit.

Miscellaneous.

27. King George's birthday was duly celebrated in Jedda on the 3rd June. The usual compliments were exchanged with Mecca, where Ibn Saud and the Acting Minister for Foreign Affairs were still in residence. The official reception held by His Majesty's Minister in the forenoon was well attended by foreign representatives and local officials. The Soviet representative, as doyen of the mixed diplomatic and consular body, made a cordial speech on conventionally old-world lines. The arrival of H.M.S. "Clematis" in the morning with Mr. MacDonnell and Mr. Hope-Gill made it possible to celebrate the occasion in the evening by an unusually large dinner of twenty-two persons, all of whom, except the Indian vice-consul and the Malay pilgrimage officer, were West European Britons and one lady. Jedda moves *quand même*.

28. Mr. C. G. Hope-Gill arrived in Jedda on the 3rd June on appointment as His Majesty's vice-consul and is charged with the duties of head of chancery in the Legation. Mr. W. L. Bond, who had been agent and consul and later chargé d'affaires for just a year, left on the 10th June. It will not be out of place in a report intended for general circulation, and written by a senior officer, to place on record a tribute to the great ability displayed by Mr. Bond as His Majesty's representative at Jedda during an unusually strenuous period and to the admirable manner in which he prepared the way for the incoming Minister and started him in the work of the Legation. It has been decided to combine the functions of consul-general with those of Minister in the person of Sir Andrew Ryan.

29. A note from the Acting Minister for Foreign Affairs dated the 15th June announced the ratification by Ibn Saud of the seven agreements negotiated at the International Postal Congress held in London and signed there on the 28th June, 1929.

30. King Ibn Saud is pursuing his scheme for creating a wireless system to link up his dominions. Negotiations with the Marconi Company were understood to have reached an advanced stage several weeks ago, the idea being to have two main stations at Mecca and Riyadh and ten subsidiary stations elsewhere in Hejaz and Nejd at a cost of something under £25,000. It is not certain that the King has abandoned the alternative of placing the contract with Siemens. The latter do not seem to be very keen on it. Anyhow, the King is said to be now considering a more grandiose scheme with a view to being more certain of the efficiency of the future system and to enlarging the number of stations. It is requested that this information may be treated as strictly confidential as it has been obtained from interested private sources.

31. The June "simooms" brought to Jedda large numbers of locusts. They are reported, although there has been a conflict of information on the point, to have done a good deal of damage in cultivated districts in the interior like Wadi Fatma and Taif. There is little for a locust to destroy in or about Jedda, but the little creatures displayed great vivacity in spite of an apparent lack of food and, among other places, visited His Majesty's Legation, where the windows are but scantily glazed, in considerable force. They looked like other locusts to the inexperienced

eye. According to an expert, however, they were all in the "imaginal" as distinct from the "hopper" state. It appears, moreover, that the Nejd locust is of a special breed, different from the African. The International Bureau at Damascus have expressed a wish to send a mission to study him in his homeland. This proposal is to be submitted to Ibn Saud, but it seems unlikely that he will agree. He probably prefers locusts to foreign missionaries, even those of science. His subjects would regard the former, much more than the latter, as Kismet.

32. No slaves were repatriated during the month of June.

[E 3993/223/91]

No. 16.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 108.)

(Telegraphic.) R.

Foreign Office, August 1, 1930.

YOUR telegrams Nos. 105 and 111 of the 12th and 18th July: Conditions of investigation into Transjordan-Hejaz-Nejd raid claims.

Unless you see objection, you should reply to Acting Minister for Foreign Affairs' letter on following lines:—

(a) *Time Limit.*—His Majesty's Government fully considered question over a year ago as result of Ibn Saud's representations (see Jedda telegram No. 37 of 21st March, 1929), and, as was explained in Mr. Jakins's note addressed to the Hejazi Government as a result of Foreign Office telegrams No. 40 of 26th April and No. 61 of 14th June, 1929, formed opinion that limitation of time limit desired by Ibn Saud would fetter unduly discretion of arbitrator and debar him from considering certain categories of claims which should clearly fall within scope of enquiry. His Majesty's Government understand that view of Ibn Saud is that claims should have been made as soon as reasonably possible after date of raids to which they refer. While they agree generally with this view, perusal of Hejaz-Nejd and Transjordan claims shows that intervals between dates of raids and presentation of claims vary greatly, and that establishment of rigid time limit would exclude so large a number of claims on both sides as seriously to reduce value of proposed enquiry and involve risk of no comprehensive settlement being reached. It will therefore be necessary to decide each doubtful case on its merits, and His Majesty's Government, to whom Ibn Saud has given complete discretion to conduct arbitration in whatever way they thought best, are convinced that the proper and natural person to examine circumstances and take decision on this point is the investigator. Mr. MacDonnell's instructions were drawn up accordingly, and His Majesty's Government are unable to agree to their modification. They are confident that the discretion allowed to investigator will not be abused.

If desirable, you may add that His Majesty's Government have only recently refused to entertain a suggestion from another quarter for an extension of the classes of claims covered by Mr. MacDonnell's instructions, and have replied that these instructions cannot be changed at this stage (see Colonial Office telegram No. 44 to Transjordan, repeated to you as No. 102 of 12th July. It is all the more impossible for them to make any other reply to Ibn Saud's suggestion for a restriction of the claims to be investigated.

(b) *Access for Investigator to Hejaz-Nejd Territory.*—You should make formal reservation as suggested in your telegram No. 105 of 12th July, and should take steps to obtain statement of reasons for Hejazi refusal, as desired by Mr. MacDonnell, unless you consider Acting Minister for Foreign Affairs' letter sufficient both in form and in substance.

[E 4134/33/91]

No. 17.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 110.)

(Telegraphic.)

Foreign Office, August 2, 1930.

BUSHIRE despatch No. 30 of 30th June to Colonial Office, of which copy has been sent to you direct.

His Majesty's Government attach importance to early negotiation of general settlement between Nejd and Koweit, with particular reference to customs questions.

Favourable opportunity is afforded by fact that Sheikh of Koweit has now put forward definite proposals for conclusion of agreement on lines of Bahra Agreement. These proposals have not yet been considered in detail and may need revision, but principle of agreement has already been accepted by Ibn Saud (see his letter of 27th January to Colonel Biscoe in Bushire despatch No. 3 of 31st January to Colonial Office).

In view of nature of questions for discussion, His Majesty's Government still think it desirable that negotiations should if possible be conducted by Political Resident in Persian Gulf. From your telegram No. 59 of 20th May it appears that Ibn Saud's objection to negotiations with Colonel Biscoe arises from the Bahrein incident. His Majesty's Government hope that this objection may be overcome by Colonel Biscoe's explanation given in his telegram No. 678 of 4th July enclosed in my despatch No. 247 of 21st July, on receipt of which you should approach Ibn Saud on following lines: His Majesty's Government are now in a position to discuss proposed agreement between Nejd and Koweit and are anxious to take the opportunity also to discuss Koweit customs embargo, regarding which representations have already been made to His Majesty. They trust that for this purpose he will be prepared to agree to a meeting with the Political Resident in the neighbourhood of the Persian Gulf.

If Ibn Saud replies that he is unable to receive Colonel Biscoe for personal reasons, you should enquire the nature of difficulty, and, if it is in fact that suggested, offer explanation now submitted by Resident. If King's objection is of a different character and it proves impossible to remove it with the information at your disposal, you should state that you must refer home for instructions.

I appreciate that it may be impossible to dissociate this negotiation from consideration of Ibn Saud's desiderata in the Persian Gulf. His Majesty's Government are anxious to avoid linking them if possible, but in last resort, if satisfaction for Koweit can be secured in no other way, risk is one which will have to be faced. You should not, however, commit yourself regarding this at the present stage.

(Addressed to Jedda, No. 110. Repeated to Bushire.)

[E 4172/89/91]

No. 18.

Secretary of State for the Colonies to the Acting High Commissioner for Transjordan.—(Received in Foreign Office, August 4.)

(No. 48.)

(Telegraphic.) P.

Colonial Office, August 2, 1930.

REFERENCE Jedda telegrams Nos. 120, 121 and 122, repeated to you as Nos. 176, 177 and 178: Raids from Transjordan into Nejd.

It is clearly desirable that Sir Andrew Ryan's personal reply to Ibn Saud should be followed with least possible delay by an official reply to the note from the Acting Hejaz Minister for Foreign Affairs of the 29th July. I should accordingly be glad to have as a matter of urgency your observations on above telegrams and on several recent complaints about raids by Transjordanian tribes. While your reply should contain all available information regarding those raids, it should not be delayed in order merely to collect further information of this character, since, in view of Ibn Saud's present frame of mind as disclosed by telegrams under reference, our more immediate endeavour should be to reassure him both about the attitude of the Transjordanian Government in this matter and about the measures that are being adopted to put an end, if his complaints prove to be well founded, to the recent series of raids from Transjordan. Please deal fully in your reply with these two points, in regard to the second of which you will doubtless consult the Air Officer Commanding.

You will realise, and you should, if necessary, impress upon the Transjordanian Government, how important it is not to allow the situation to deteriorate further. (Repeated to Jedda, No. 109.)

[E 4146/223/91]

No. 19.

Sir A. Ryan to Mr. A. Henderson.—(Received August 4.)(No. 123.)
(Telegraphic.)*Jedda, August 3, 1930.*

MY telegram No. 103 and despatches Nos. 167 and 169.

MacDonnell considers he should ascertain facts of raids involving Ibn Mashhur, as Transjordanian Government state that two out of three of them occurred when there were no rebels.

I reached the same conclusion on the ground that the present object is merely to investigate facts, and that Hejaz Government having reserved the question of their liability should leave it to be dealt with later after MacDonnell has examined cases.

Acting Minister for Foreign Affairs stated in recent note (copy now in bag) that Hejaz Government agent was not authorised to discuss case of Ibn Mashhur. On my putting above views to Fuad in conversation on 2nd August, he said they would not object to MacDonnell examining cases, but would not defend Ibn Mashhur. They maintain disclaimer of liability. Position would be altered by his return with his property.

I do not think I can advance the matter further here. I consider the only course is for MacDonnell to hear Transjordanian claims against Ibn Mashhur and make recommendations by default. Matter is, however, so delicate in all its aspects that I submit it to you.

(Repeated to Jerusalem, No. 180, for MacDonnell.)

[E 4218/1/91]

No. 20.

Sir A. Ryan to Mr. A. Henderson.—(Received August 6.)

(No. 126.)

(Telegraphic.) R.

Jedda, August 5, 1930.

MY telegram No. 114.

I have received £10,000 in the shape of cheque by Dutch bank here on National Provincial, London. To whom shall I send it? Covering letter from Acting Minister for Foreign Affairs refers to Iraq subjects only. I have pointed out that under the King's letter of 27th January it falls to be divided, and have stressed importance of point in its bearing on the two separate final settlements with Iraq and Koweit.

It may be well to get this quite clear. Position appears to be that Hejaz Government left allocation to His Majesty's Government, but they have no knowledge of allocation proposed by Colonel Biscoe in January.

(Repeated to Bagdad and Bushire, No. 187.)

[E 4247/33/91]

No. 21.

Sir A. Ryan to Mr. A. Henderson.—(Received August 7.)

(No. 129.)

(Telegraphic.)

Jedda, August 6, 1930.

YOUR telegram No. 110.

I received your despatch No. 247 on 5th August.

Following facts may seem to you to necessitate modification of proposed procedure:—

1. Chance mention by me of political resident's name in another connexion during our July conversations led Fuad to pour out whole story of Bahrein incident.

He added nothing to my knowledge except statement that he believed King to have communicated direct with Biscoe about visit and received no answer; but his account showed that His Majesty's resentment was far greater and more deep-seated than I had realised. Fuad returned to the subject on 3rd August in order to withdraw statement regarding unanswered communication, which, he said, was his personal mistake. On both occasions I scouted the possibility of discourtesy, using every argument I could deduce from correspondence up to date. I stressed the

importance from every point of view of good relations between Biscoe and the King. Fuad finally agreed, but admitted frankly that, owing to the Royal attitude, he could only inform me personally of the position and must leave it to me to consider the possibility of promoting reconciliation by some independent action.

2. The King is overtired and is by way of deputing much of his authority.

I doubt whether he will ever really do this, but his present intention is to stay in Hejaz about four months longer, and he has finally decided to make Amir Feisal Minister for Foreign Affairs with, it is said, extensive delegated powers. Fuad told me this privately on 3rd August, and said reorganisation would shortly be announced.

3. I entirely agree that Biscoe is the best person to negotiate, but Hejaz Government are increasingly fond of suggesting that now that they have an accredited Minister here all diplomatic business should normally be dealt with through Legation. They could not, of course, refuse special mission, but they are in principle averse to discussing questions direct with neighbouring British authorities as such. The fact that those authorities are not directly under the Foreign Office increases this tendency.

4. I think it certain that any attempt to obtain formal settlement of Koweit customs question will entail reopening by other side of other Persian Gulf questions, especially as last action by us was that described in your telegram No. 42.

In view of above, I feel procedure laid down in your telegram will not advance matters either as regards settlement of Koweit question or liquidate personal incident, which, owing to the King's extreme and unreasoning susceptibility, is graver than we knew. If Biscoe is to deal usefully with the former, latter must first be disposed of. No good will be done unless His Majesty can be induced really to change his heart and not merely accept explanation out of politeness while continuing to regard Biscoe as *persona non grata*.

I did not initiate my conversations with Fuad about Bahrein incident, but I let them develop more than I might have done if I had had greater grasp of difficulty surrounding Persian Gulf questions. This has one advantage, namely, that if you wished I could, before leaving, address personal letter to Ibn Saud tackling incident squarely on lines of my previous information and valuable addition in enclosure in your despatch No. 247. I could go on to explain importance of reconciliation on general grounds and because His Majesty's Government consider political resident the best person to discuss agreement proposed by Sheikh of Koweit and customs question of meeting could be arranged.

Such a letter would draw the King on all points. If you approve within the next few days I could write it before I leave on 15th August and could call at the Foreign Office on 3rd September to review the situation.

(Repeated to Bushire, No. 189.)

[E 4247/33/91]

No. 22.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 114.)

(Telegraphic.)

Foreign Office, August 9, 1930.

YOUR telegram No. 129 of 6th August: Nejd-Koweit negotiations.

I approve alternative procedure proposed by you.

[E 4309/4309/91]

No. 23.

Sir A. Ryan to Mr. A. Henderson.—(Received August 11.)

(No. 184.)

Sir,

Jedda, July 22, 1930.

YOU are aware of the difficulties under which the more purely diplomatic work of this post is carried on. They are most painfully borne in on a person who is trying to build up a stronger British representation here than has been possible in the past. They result from the facts that the Legation is confined to Jedda; that the King, personally inaccessible except on rare occasions when he comes here, is both in theory and in practice the sole controller for Foreign Affairs; that the Ministry for Foreign Affairs, such as it is, is in Mecca; and that the Acting Minister, who can

at least discuss questions though he can take practically no decision, has to divide himself between fairly constant personal attendance on the King, now that the latter is at Taif, the management of his office at Mecca and occasional visits to Jedda, made at short notice and at irregular intervals. Fuad Bey Hamza—he prefers the “bey” to the “sheikh,” I understand—has been in Jedda for the following periods only, since I arrived here on the 6th May:—

The 8th May when he returned from leave and proceeded direct to Mecca.

Morning of the 17th May, when he came with the King to receive my credentials, until the afternoon of the 18th May, when he went to Mecca to rejoin the King.

The 27th May to, I think, the 29th or 30th May, a short visit without the King.

The 7th to 12th June, in attendance on the King with whom he arrived and left.

The 11th July to the 18th July, without the King. Otherwise my personal intercourse with Fuad Hamza has been confined to conversations by telephone, and the telephonic service is only moderately efficient.

2. The difficulties of doing business are somewhat increased by imperfections in the organisation of the Legation, but these are our own concern and will come within the scope of a separate report. The other difficulties are more important as regards diplomatic work proper. Opportunities of discussing really serious questions with the King are reduced to a minimum. When he disappears into the blue, and so far as he is concerned even Mecca and Taif are the blue, we cannot count on any early opportunity of following up the discussions in personal conversation with his Minister, except for an occasional enquiry over the telephone. When Fuad Bey does visit Jedda, outstanding business of importance has to be brought up to date in a frantic rush. There is no time at all to discuss the numerous minor matters, which form the subject of notes, but which it should be possible for members of our staffs to discuss personally from time to time in order to promote the settlement of tiresome little questions and to relieve their chiefs.

3. I thought it desirable to make a statement of the whole subject to Fuad Bey on the 17th July in personal conversation. He had spoken hopefully some time before of the likelihood of Europeans being allowed access to Taif. On other occasions he had mentioned to me a plan for holding weekly diplomatic receptions at his office here and told me something of the difficulties which he himself experienced owing to the King's exigencies and aptness to upset plans. We had that morning been discussing “Bon Voisinage” with Iraq and had reached a point at which I had said that the King's attitude might impel His Majesty's Government to instruct me to seek an audience before going on leave. The ground was thus well prepared.

4. I was careful to say and to repeat at least once that I had no reason to complain of the treatment extended to me personally. The King had shown me the most distinguished consideration. When I was fortunate enough to get a chance of talking business with Fuad Bey, I was treated in the same manner and found myself face to face with a Minister of great ability. But I reminded Fuad Bey that the King had desired a Legation and had told me himself that one of his objects was to be able to open himself freely to a responsible senior official. I analysed the situation on the lines of the earlier paragraphs of this despatch; laying some stress on the impossibility of dealing with minor questions except by notes and reminders. In this connexion I said that all I knew of the Foreign Office in Mecca was that, according to the Hejaz Constitution, it should be organised in four sections. I had never set eyes on the heads of those sections and was uncertain as to their existence. In any normal country I should have the advantage of their acquaintance and members of my staff would be able to see such of them as dealt with our business. I contrasted my position with that awaiting Sheikh Hafiz Wahba, who on the eve of his departure had spoken to me cheerfully of escaping from the heat of London to the seaside and perhaps later running up to Scotland. Such happy anticipations inspired envy in the breast of an opposite number compelled to stew in Jedda all the time; but I went further. Suppose, I said, that King George assumed the sole direction of our foreign affairs; that the Foreign Office were moved to Oxford; that it were considered essential, in deference to the ancient Christian traditions of that place, to exclude from it Moslems, Brahmins and the disciples of Confucius; and that Hafiz Wahba were confined to London and the suburbs; would the Hejaz Government then think that they were justified in the expense of maintaining a Legation in Great Britain?

5. In the course of my statement I referred again to the possibility of my being instructed to ask for an audience of the King. I said that if this happened my only

proper and polite course would be to ask to be received at Taif, as Ibn Saud was in residence there and I had no official knowledge that it was closed to foreign representatives. In conclusion, I told Fuad Bey that my statement was of a purely personal nature, intended primarily for his own consumption. The matter might not be ripe for submission to the King, but I begged him to remember what I had said if one of these days I did ask for an audience at Taif or if, at some future date, His Majesty's Government conceived doubts as to the utility of maintaining a Minister here.

6. Fuad Bey is supporting a great burden, and in most ways impresses me more favourably than I expected. He listened to me carefully and welcomed, I think, a frank connected statement. At the end, he said that my criticism was justified. He was himself conscious of the defects of his machinery. He had not wished to trouble the King prematurely at a time of great preoccupation, but he had now prepared a scheme for the consideration of His Majesty. He added spontaneously that the Ministry for Foreign Affairs ought to be in Jedda.

I have, &c.

ANDREW RYAN.

[E 4310/1409/91]

No. 24.

Sir A. Ryan to Mr. A. Henderson.—(Received August 11.)

(No. 186.)

Sir,

Jedda, July 23, 1930.

I HAVE the honour to state that in conversation with the Acting Minister for Foreign Affairs I have more than once touched on the question of the possibility of Hejaz-Nejd entering the League of Nations.

2. I threw out a first reference to the subject in one of my earlier conversations with Fuad Bey Hamza about the *bon-voisinage* agreement with Iraq. This is recorded in paragraph 3 of my despatch No. 122 of the 29th May on that subject.

3. In a conversation on the 12th July regarding the position of this country in regard to the Arms Traffic Convention (see my despatch No. 185 of the 23rd July) Fuad Bey mentioned that he had received certain information bearing on the matter from the League. I said lightly that I was glad to learn that he was in communication with that body, upon which he said that he received but did not send communications. He intimated that he would be glad to have a talk with me on the subject.

4. On this and other occasions during Fuad Bey's stay here, I adverted to the desirability of having as many Powers as possible in the League. We had a more connected, though inconclusive, conversation at our final meeting at my house on the 17th July. I again dwelt on the advantages of the League as an international organ, as a solvent of many questions of universal interest, and as an institution which had already proved its value in the direction of deterring nations from war, though it might not prevent all recurrence of war in the world. I said I knew that some Eastern countries adopted an attitude of reserve, either because they looked upon the League as a European club or because they shared the idea that it might be engineered into an instrument of the hegemony of a single Power, an idea which I said was discounted by the fact that that fear had been expressed with reference to different Great Powers like Great Britain and France.

5. The only upshot of our conversation was that Fuad Bey said he did not know the King's attitude but continued to manifest interest and did not seem to exclude the possibility of the King's taking up the idea of becoming a member. I said that, if he were really interested and would care to have further information, I thought the best thing would be for me to discuss the matter during my approaching visit to London.

6. At a certain point in the conversation Fuad Bey said banteringly: “You know we are already members of the League.” I said I knew that the Hejaz in a previous sovereign incarnation was a signatory of the Covenant, but that King Hussein had for certain reasons conceived a rather violent distaste for the League. I remarked that Ibn Saud had not shown any alacrity in adopting European ideas about the responsibilities of succession States, but hinted that in this matter he might show himself to better advantage than King Hussein. When Fuad Bey left and we were almost slapping each other on the back in our joy at having concluded a series of strenuous discussions, I harked back to the theme of “the more the merrier.”

7. I thought it advisable at a suitable moment in the final conversation to advert to the subject of slavery, as being a matter to which the League of Nations paid great attention. As, however, I have occasion to address you separately on certain matters connected with slavery, I am recording this portion of the conversation in my despatch No. 187 of the 23rd July.

I have, &c.

ANDREW RYAN.

[E 4311/1054/91]

No. 25.

Sir A. Ryan to Mr. A. Henderson.—(Received August 11.)

(No. 187. Confidential.)

Sir,

Jedda, July 23, 1930.

IN my despatch No. 186 of the 23rd July, relative to Ibn Saud's attitude towards the League of Nations, I have mentioned a conversation with the Acting Minister for Foreign Affairs on the 17th July, in which I thought it well to advert to the subject of slavery. For the purposes of that conversation I stressed the importance attached to the question by the League, as well as by His Majesty's Government and British public opinion. I referred to Ibn Saud's obligation under article 7 of the Treaty of Jedda.

2. The Acting Minister said that the King had really done a good deal. He had expressly forbidden the landing of slaves in any of his ports. From the way Fuad Bey put this I was not sure how far south the operation of those orders extends. Even if I had been better prepared for the conversation, I might have hesitated to pursue this more closely, having regard to the status of Asir as a whole and the doubt regarding Medi, which Mr. Bond, in paragraph 35 of the memorandum enclosed in his despatch No. 60 of the 6th March, describes as an important, if not the chief, port concerned in the distribution of slaves. I may refer to my despatch No. 160 of the 2nd July, in which I had occasion to raise the question of the political position of Medi.

3. Fuad Bey admitted the possibility of smuggling, but said that smuggling by sea did not account for the importation of any appreciable number of slaves. If any substantial number were, in fact, imported into this country, it was by the overland route from the Yemen. The King had taken certain measures in this direction also, and there was a regulation whereby any person bringing in slaves over the land frontier was bound to supply a certificate with photograph attached that the slave had grown up in slavery. I did not pursue the Yemen aspect of the question.

4. Two days after this conversation an incident occurred which fluttered this Legation considerably during the forenoon of Sunday, the 20th July. I enclose a memorandum by Mr. Hope-Gill dealing with this incident. Mr. Hope-Gill had already handled the matter promptly and ably up to an almost final stage before I reached the office. When I arrived I was able to put the one outstanding point to the Acting Minister for Foreign Affairs over the telephone in such a way as to make it almost impossible for the King to do anything but acquiesce in the departure of the one freed man already embarked whom it had been attempted to represent as a Royal slave. Although the incident was thus happily liquidated, I think it advisable to send you a full account of it, as the case raises issues which I will ask permission to discuss at the Foreign Office when on leave.

5. The Italian consul called on me next morning. We had a long and interesting conversation, which I will summarise as briefly as possible.

6. I expressed regret that M. Sollazzo had been involved in embarrassment as regards the sailing of his ship. I explained the facts fully, avoiding, however, any disclosure of the existence of the understanding about Royal slaves which Fuad Bey had invoked. I confined myself to stating that we were pursuing a great object which could only be achieved by educating Ibn Saud up to European ideas, and that it was in the interest of the final object, and might be necessary for larger political reasons, to use certain "ménagements" in cases in which the King had a personal interest.

7. M. Sollazzo said he wished to make a quite definite statement. He would have been prepared the previous day to disembark the four men on a formal request from me. If, however, a similar case arose in the future he would not return to

land any person embarked in an Italian ship, and more particularly any person in regard to whom a question of slavery or return to slavery arose, unless that person himself consented. I said I was reporting the incident of the previous day for your consideration. I could only say personally that I welcomed his frank statement. It meant that Italy would take a hand. If circumstances did arise in which I for reasons of my own asked that a manumitted slave embarked by this Legation on an Italian ship should be sent back and M. Sollazzo refused to allow it, the difference between us would be formal. I should, in fact, be delighted.

8. M. Sollazzo had previously told me that he was staying on here to see the negotiations for a treaty with Ibn Saud through to a finish. He is a whole-hearted advocate of early recognition of Ibn Saud by Italy. In our conversation on the 21st July he said that he was having difficulty over the inclusion of an article similar to article 7 of the Treaty of Jedda. He had been met with an intimation that Great Britain herself was ready to delete that article. He asked me whether this was true.

9. I said that the subject of the slave trade was not one which I had been able to study in all its aspects, as I intended to do. For that reason—and I wished him to understand very clearly that that was my reason—I should prefer to confine myself to a personal statement. Article 7 of the Treaty of Jedda was meagre, but it was something—something to obtaining which His Majesty's Government had attached importance and on securing which they had been congratulated. I could not conceive any British Government taking a step backward, nor could any British Government do so, even if it contemplated such action, without running up against a feeling which, even if more latent in the mass of the British public than it had once been, still pervaded public opinion and found active expression in certain quarters. There was in any case no question, so far as I knew, of any revision of the Treaty of Jedda. When I presented my credentials to Ibn Saud, I had referred to it as the main basis of my position here, and I still so regarded it. If the question of revision came up at a later time, I should not expect to see article 7 abandoned, except, perhaps, in one set of circumstances, namely, if Ibn Saud had come into international arrangements for the repression of the slave trade to such an extent as to make individual agreements no longer necessary. I told M. Sollazzo of the conversation on slavery which I had had with Fuad Bey four days earlier, and which I have recorded in paragraph 7 of my despatch No. 186 of the 23rd July relative to Ibn Saud's attitude towards the League of Nations.

10. M. Sollazzo asked me whether I was aware of negotiations between the French and Ibn Saud for a general treaty. I said that I had no information on the subject. He told me that he believed such negotiations to be proceeding, and understood that the French were in the same position as himself regarding the slave trade article.

11. It is possible that, in giving M. Sollazzo to understand that Great Britain might drop article 7 of the Treaty of Jedda, the authorities here had merely in mind the letter from Sir Gilbert Clayton to Ibn Saud, dated the 19th May, 1927, and printed as an annex to the Treaty of Jedda. In this connexion I may mention that M. Sollazzo said that Italy's position as regards manumission was weaker than that of Great Britain, and that if a slave took refuge in his consulate his only course would be to pass him on to this Legation.

12. I considered it incumbent on me to speak as explicitly to M. Sollazzo as I could do within the limits of a personal statement. I told him no more than the truth when I said that I had been unable to study the slavery question fully. If I went wrong on any important point, I should be grateful for telegraphic instructions, in order that they may reach me before I go on leave about the 15th to 20th August.

I have, &c.

ANDREW RYAN.

P.S.—When drafting this despatch I overlooked one point in my conversation of the 17th July with the Acting Minister for Foreign Affairs. He manifested interest in the question of reports by British naval authorities to His Majesty's Government, or, he suggested, to the League of Nations, on slave trade. He was evidently trying to find out whether he could get hold of any such reports. Pending my own eventual story of the whole slavery question, I preferred not to encourage his curiosity.

A. R.

Enclosure in No. 25.

Memorandum by Mr. Hope-Gill.

ROYAL SLAVES: AN INCIDENT.

AT about 8.30 on Sunday morning, the 20th July, the Acting Minister for Foreign Affairs rang up to say that the four slaves whom we had manumitted and had that same morning put on board the Italian boat, just due to sail for Massowa, were Royal slaves who had recently escaped. He asked me to have them returned at once, under the agreement on this subject, and added that the ship would not be allowed to sail until the slaves were taken off her.

2. I expressed surprise and incredulity, but said that I would at once investigate and ring him up again shortly. As I rang off, M. Sollazzo came in (somewhat grimly) and said that Fuad Bey had rung him up to say that the Italian boat could not sail until four slaves put on board by us were debarked. He had replied that the slaves, having been handed over by us, could only be returned to us and at our request. He asked me to let him know in writing if we wanted them so returned, and also asked what he should do if the authorities tried by force to detain the ship, which was due to sail shortly. I said that I had just that moment been speaking to Fuad Bey and was on the point of investigating the case. I thought it was all a mistake, but would let him know the result as soon as possible. I also thanked him for his loyalty to us. He then left.

3. Mr. Thacker had, meanwhile, examined the manumission file and prepared for me a résumé of the particulars of the four slaves in question. Two had taken refuge here seven weeks before (2nd June), one over a fortnight (4th July), and the fourth more than a week before (11th July). They had been questioned by Ismail Effendi and further examined by Munshi Ihsanullah, and had given, apparently, satisfactory evidence as to the identity of their former masters. None of the slaves seemed to have any connexion with the Royal Household. We had been unable to get them away earlier owing to lack of shipping facilities to Massowa.

4. I therefore rang up Fuad Bey to give him these results, stressing the different and considerable lengths of time these slaves had been here, and giving the reasons why. He asked for the names of their supposed masters, which I gave him. He agreed that they could not be the slaves he sought, who had escaped three or four days ago, but added he would ring up again shortly.

5. The Acting Governor of Jedda then came in (somewhat pallid) and began to ask for the debarkation of the four slaves. I explained that I was on the 'phone to Fuad Bey about them and that there had evidently been a mistake. Fuad Bey just then rang up again to say that three of the slaves were clearly not Royal slaves, but that the fourth, Mubarek, who had fled from Sheikh Abdullah Suleiman's house, was really the King's property, having been given to His Majesty by a previous owner, and had been placed by the King in his Finance Minister's hands. Fuad Bey did not demand his return, but asked His Majesty's Minister to consider the position and return the slave if he thought right.

6. I asked Fuad Bey to tell the Acting Governor, who was still in my office, that the matter was settled as far as the local authorities were concerned. He did so, and in my presence Sheikh Abdul Aziz rang up the Officer Commanding, Jedda, and told him that the ship was free to leave.

7. After due consideration, Sir Andrew Ryan rang up Fuad Bey and told him that, in view of the facts that (a) there had been no secret about this slave having taken refuge here; (b) he had been here seven weeks; (c) the local authorities themselves had a fortnight ago issued the necessary pass for his embarkation for Massowa; (d) it was now almost too late to entertain any objection—the eleventh hour, in fact; and (e) removal of the slave from an Italian ship on which he was already embarked could only risk provoking international comment—in view of these considerations Sir Andrew could only have the slave debarked if he were himself fully covered by a formal promise to supply him with an official certificate declaring this slave to be the King's property. If such a promise were given, he would keep the slave here pending telegraphic reference to the Foreign Office, which Sir Andrew felt to be essential in a case which had become invested with such a very peculiar character. While declaring his willingness to take these steps out of consideration for the King, Sir Andrew urged that in His Majesty's own interests he should not

be forced to take them, concluding with references to his recent conversation with Fuad Bey on the subject of slavery, the widespread comment that might well be caused, the feeling in Europe, e.g., Rome and Geneva, British public opinion, possible and very unfortunate odium which the King might incur, &c.

8. Fuad Bey asked for time to consider the matter and consult the King, and said he would ring up later. He did so in half an hour, to say that, in view of all the circumstances, the King agreed that the best course would be to let the slave proceed. On ringing up M. Sollazzo, I found that Fuad Bey had already told him that the matter was closed.

C. G. H.-G.

July 22, 1930.

[E 4300/89/91]

No. 26.

Acting High Commissioner for Transjordan to the Secretary of State for the Colonies.—(Received in Foreign Office, August 11.)

(No. 51.)

(Telegraphic.) P.

August 7, 1930.

REFERENCE your telegram No. 48. The original list handed to MacDonnell at Jedda of raids alleged to have been carried out by Transjordan against Hejaz tribes comprised 171. The complaint in many cases was laid several months subsequent to the alleged date of the raid.

2. A further list of forty-nine raids was forwarded by Ryan on the 30th June. The Acting Minister for Foreign Affairs stated, in presenting this list, that some of the raids mentioned had figured in previous lists communicated by him, but Cox is unable to reconcile these with any of those previously made. In this latter list, moreover, complaint is made of raids in no cases less than four months after alleged occurrence thereof, whilst in a large number of cases an interval of one or two years has been allowed to elapse.

3. With regard to the last eight, it is incredible that information of those given in Jedda telegrams dated the 7th, 28th and 31st July should, if genuine, have been transmitted so rapidly. A complaint has been lodged by Ibn Saud that in the month of January eighteen raids took place as follows: In February 8, April 3, May 3, June 3, July 4, with a toll of 5,900 camels, 820 sheep and 42 men killed.

4. Cox reports that, basing his statement on R.A.F. and Arab Legion Intelligence, following raids only have set out since the 1st January, 1930: January nil, February 1, March 1, April 9, May 3, June 2, July 2, with an approximate toll of 500 camels, 40 sheep and one man killed. Two of these were dispersed before the frontier was crossed, and the majority of the returning raiders in two other raids were captured by Imperial forces. There have been seized from the raiders some 150 camels, and twenty sentences of imprisonment in excess of six months have been inflicted. It is stated by both Intelligence Services on good authority that the raids mentioned in Jedda telegram No. 172 did not take place. As regards raid referred to in telegram No. 174, there has not been time for a detailed enquiry.

5. On the other hand, there have been nine raids since the 1st January from Hejaz into Transjordan, which took a toll of 4,348 camels, 2,300 sheep, 314 tents, 1,230 pounds and 50 men killed, and in no single case has any loot been returned or any punishment inflicted.

6. The Amir has declared closed an area in Southern Transjordan which lies between the railway and the frontier, and that any Bedu found in that area will be punished and will be liable to be fired on at sight. The Amir has issued recently a further strict order against raiding, and has granted the powers of arrest to Imperial detachments patrolling and those now stationed at only existing water points in the desert in Southern Transjordan.

7. All possible measures are in operation except those recently recommended in the High Commissioner's secret despatch dated the 26th June. The Air Officer Commanding agrees that there has been much improvement in the situation in so far as the control of Transjordan tribes is concerned, and that it should improve still further now that a mechanised company is in being.

8. I do not consider that the complaints of Ibn Saud are well founded. He should be informed of the effective efforts which are being made by Imperial forces

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and Transjordan Government, and his failure to keep his own people under control should be brought to his notice.

9. I invite reference to the High Commissioner's secret despatch of the 8th February in this connexion.

[E 4305/89/91]

No. 27.

Sir A. Ryan to Mr. A. Henderson.—(Received August 11.)

(No. 133.)

(Telegraphic.)

Jedda, August 10, 1930.

TRANSJORDANIA telegram No. 51 to Colonial Office.

I myself am suspicious of Ibn Saud's possible motives and of his allegations, although I think it would be physically possible to get news within two or three days of raids in Jauf area, and Hejaz Government have certainly made great effort to speed up machinery in order to make the best show possible during MacDonnell's investigations.

Nevertheless, if situation is not really serious, I think it would be better tactically to await correspondence exchanged here and record of my conversations with Acting Minister for Foreign Affairs (all of which go by bag 11th August) before replying officially. The interval might be utilised to develop more fully the part of our case which rests on measures taken up to date by Transjordan. The arguments based on examination of allegations of raiders are also valuable, but reciprocal denials at this stage serve little useful purpose and promote renewal of mere recriminations, which we wish to avoid. It must also be remembered that many of this year's raids come within scope of MacDonnell's enquiry and that it might be impolitic to anticipate unduly his decisions.

I do not wish to delay official reply indefinitely, but, having myself strongly attacked the King's position and said that your enquiries will require time, I feel that delay of three weeks would do more good than harm. His Majesty is either genuinely convinced that situation is bad and that we are to blame or he is playing for position. In either case I have said enough to put him in the wrong if he contemplates any immediate folly. If he is bent on that anyhow nothing will stop him, but I believe he will hold his hand after his recent demonstration and my personal reply reinforced by what I said to Fuad.

(Repeated to Jerusalem, No. 195.)

[E 4338/1/91]

No. 28.

Sir A. Ryan to Mr. A. Henderson.—(Received August 11.)

(No. 135.)

(Telegraphic.)

Jedda, August 11, 1930.

COLONIAL Office telegram No. 238 [? No. 283] to Bagdad.

Ibn Saud sent promised letter regarding Ibn Mashhur to King Feisal by mail leaving here 1st August. Letter of pardon addressed by Ibn Saud to Mashhur was enclosed.

At our last interview Fuad sounded as though the King was still keen on having Mashhur brought to Jedda by air. He asked whether it would not be possible to hire an additional aeroplane from Royal Air Force or elsewhere. I discouraged this idea, and again told him that His Majesty's Government considered transport by Hejaz aircraft impracticable, and favoured, I thought, some arrangement for delivery in southern desert.

If letters are otherwise satisfactory and Ibn Saud has not meanwhile expressed fresh views, I think it would be useful to be able to give him some agreed view of the Iraqi and British Governments as to what they consider practical means of delivery.

(Repeated to Bagdad, No. 198.)

[E 4338/1/91]

No. 29.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 122.)

(Telegraphic.)

Foreign Office, August 13, 1930.

YOUR telegram No. 135, last paragraph: Return of Ibn Mashhur to Hejaz-Nejd.

Since question of Ibn Mashhur has throughout been treated as one primarily for settlement between Governments of Iraq and Hejaz-Nejd, His Majesty's Government would prefer that satisfactory arrangements for his delivery should, if possible, be reached without their direct intervention.

When, therefore, Acting High Commissioner, Bagdad, informs you of arrangements proposed by Iraq Government (see Colonial Office telegram to Bagdad, No. 303, repeated to you as No. 121), you should, unless you see serious objection, communicate them to Hejazi Government as views of Iraqi Government only.

(Repeated to Bagdad, No. 304.)

[E 4305/89/91]

No. 30.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 123.)

(Telegraphic.)

Foreign Office, August 13, 1930.

YOUR telegram No. 133 of the 10th August: Raiding situation on Transjordan frontier.

His Majesty's Government agree that official reply to Hejazi Government should be deferred until they have had opportunity of considering correspondence to which you refer. They are, however, anxious that everything possible should be done to reassure Ibn Saud as to good faith of Transjordan Government. You should therefore, unless you see strong objection, address Ibn Saud further personal letter on lines that His Majesty's Government, while awaiting receipt of Hejazi note of 28th July and reports from Transjordan before making full official reply, desire you to inform him at once of recent additional measures taken by Amir Abdulla (as described in paragraph 6 of Jerusalem telegram No. 51 to Colonial Office, repeated to you, No. 55), as evidence that, so far from approving recent raids, Transjordan Government are doing all that is possible to prevent them, although they are still left in ignorance of measures taken by Ibn Saud on his side.

(Repeated to Jerusalem, No. 213.)

[E 4408/1/91]

No. 31.

Secretary of State for the Colonies to the Acting High Commissioner for Iraq (Bagdad).—(Received in Foreign Office, August 14.)

(No. 303.)

(Telegraphic.) P.

Colonial Office, August 13, 1930.

JEDDA telegram No. 135 of the 11th August, repeated to you as No. 198.

Since question of disposal of Ibn Mashhur is brought up at every opportunity by Hejaz Government, even when Transjordan questions are being discussed, His Majesty's Government consider it important that when once letter of pardon has been received, Iraq Government should lose no time in arranging manner of his disposal. You should, therefore, press Iraq Government, even if letter of pardon has not yet been received, to give earnest attention to this question, and as soon as you are in a position to do so should communicate their proposals in this respect to Jedda for transmission to Ibn Saud.

Since this question has throughout been regarded as one for settlement between the Iraq and the Hejaz Governments, His Majesty's Government would only wish to be consulted as to proposed method of Ibn Mashhur's delivery if matters should so develop that you think it desirable to seek their advice. They would be glad, however, if they could be kept informed of developments.

(Repeated to Jedda.)

[E 4420/111/91]

No. 32.

Sir A. Ryan to Mr. A. Henderson.—(Received August 14.)

(No. 138.)

(Telegraphic.)

Jedda, August 14, 1930.

I HAVE received from Acting Minister for Foreign Affairs copies of following letters, which he says left Jedda in mail of 1st August:—

Two from Ibn Saud to Feisal (1) confirming promise to guarantee Ibn Mashhur's life and enclosing letter of pardon, and (2) acknowledging receipt of Feisal's judgment in matter of loot.

Three from Fuad to Iraqi Minister for Foreign Affairs (a) agreeing to signature forthwith of "Bon Voisinage" and arbitration protocol subject to negotiation of extradition treaty being simultaneously begun, and asking when plenipotentiary for both purposes can be sent; (b) outlining Hejaz-Nejd point of view on "tribal" crime as distinct from "political"; and (c) pursuance of "Nearchus" agreement between the two Foreign Ministers transmitting details of Nejd counter-claims against Iraq amounting to £20,500, including over £4,000 worth of damage by aeroplanes.

As regards (b), Fuad renews, in his covering note, request for "adequate assurance for exposition of Hejaz Government's point of view." With reference to (c), he points out that his Government cannot differentiate between reparation due from British and from Iraqi Governments—a matter for decision between themselves.

Fuad also encloses a sealed letter from the King to Sir F. Humphrys—this I have already forwarded to you by bag of 11th August, together with translations of above five letters. Indisposition has delayed this telegram.

(Repeated to Bagdad, No. 201.)

[E 4364/1/91]

No. 33.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 127.)

(Telegraphic.) R.

Foreign Office, August 14, 1930.

YOUR telegram No. 126 of 5th August: Receipt of £10,000 from Hejazi Government on account of Iraqi and Koweiti raid claims.

Pending decision as to allocation between Iraq and Koweit, cheque should be placed on deposit in Legation's bank account subject to early withdrawal.

Your should point out to Hejazi Government *officially*, if you have not already done so, that sum is for division between Iraq and Koweit.

[E 4516/89/91]

No. 34.

Mr. Hope-Gill to Mr. A. Henderson.—(Received August 19.)

(No. 142.)

(Telegraphic.)

Jedda, August 19, 1930.

YOUR telegram No. 123.

Sir A. Ryan was unable before departure to address further personal letter to Ibn Saud. Latter has now made spirited reply to his letter of 1st August. It was heralded by perturbed private letter from Fuad describing King as deeply moved and resentful of that frankness in others which he himself boasts of and begged Sir A. Ryan to use.

Ibn Saud's letter bears unmistakable signs of collaboration by Yusuf Yasin and very possibly by Mr. Philby, who has recently embraced Islam and was in Taif at the time. Gist is as follows:—

"1. We feel sure you wrote with best intentions, but your reliance on perusal of mere documents shows lack of knowledge of factors underlying situation and vitiates your judgment.

"2. Having referred claims to arbitration and seen arrival of investigator, we look only to present and future. Our letter of 23rd July was written not in light of the past arguments, but in order to elucidate British Government's present and future steps to prevent recurrence of former state of affairs.

"3. Our judgment on Transjordanian measures was based on result. We most regretfully state results do not say much for the measures. They neither satisfy us as to their adequacy nor with confidence in those responsible for their carrying out. As you see, since we issued our own strict orders after Musaad and Neshmi affairs our subjects have committed nothing compared with misdeeds of Transjordanians, and this in spite of precautions taken there and supposed lack of any steps by us.

"4. We notice you continually refer to Musaad and Neshmi incidents. We will explain their nature, but first must say that, disapproving of part of their action, we have shown our displeasure at it.

"5. Those two were responsible for law and order in troubled regions, and at time when it was necessary to apply martial law. Series of Transjordanian attacks demand exceptional precautions of which Mr. Bond was informed in November–December 1929. Both officials were faced with critical situation of revolt in North-Eastern Nejd and attempted revolt near Transjordanian frontier. They had taken immediate punitive action without reference to Government for instructions.

"6. Their acts were therefore neither raids nor aggressions against Transjordan nor disobedience of their Government. They punished the rebels and also raised siege laid by Transjordanian subjects within our territory. It has never been proved that they crossed frontier. Even if they did they were right, for they acted within meaning of reservations made by my Government in 1929 (see Jedda despatch No. 185, 16th July).

"7. You refer to non-application of article 3 of Hadda Agreement. It would be desirable to give that article effect, but from what we see of Transjordanian Government's behaviour towards us, especially intentions of some of its people, and particularly when we look with eyes of reflection on small district like Transjordan, where effective measures to prevent raiding have been taken and are useless, we prefer to wait and see until the situation is explained."

I have merely acknowledged receipt in private letter to Fuad, saying that I have forwarded King's and his letters to Sir A. Ryan, London. Translations go by bag 20th August. Possible palliative afforded by communication to Ibn Saud of information contained in paragraph 6 of Jerusalem telegram No. 51 seems inadequate at this stage. It might well act as irritant, and I prefer, subject to your concurrence, not to administer it. Alternative submitted in Sir A. Ryan's telegram No. 133 seems indicated by all circumstances.

(Repeated to Jerusalem, No. 206.)

[E 4528/89/91]

No. 35.

Mr. Hope-Gill to Mr. A. Henderson.—(Received August 20.)

(No. 143.)

(Telegraphic.) P.

Jedda, August 19, 1930.

MY telegram No. 142: Raiding on Hejaz-Nejd-Transjordan frontier.

It appears most important to discover the truth. The following summary of the position and a proposal as regards action to be taken are submitted for the consideration of His Majesty's Government:—

(a) Since the incident of the 7th February (Musaad) it is alleged that 22 raids have been made from Transjordan compared with 5 from Nejd, 36 persons killed compared with 1, and some 2,500 camels taken compared with 413.

This comes after some 15 raids from each side in the second part of 1929 and, from the 1st January to the 7th February, 18 raids from Transjordan compared with 4 from Nejd.

(b) Since the Musaad incident there has been clear decrease, both actual and relative, in raids from Nejd. Ibn Saud will still claim credit for this, though it may be due to defensive measures taken in Transjordan.

(c) As regards the raids from Transjordan, which have decreased only as compared with the outburst in January, the raids must be either real or imaginary, though there may well be exaggeration as regards number of casualties and the amount of the loot. Ibn Saud is in strong position, even if only half these alleged raids have, in fact, taken place.

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(d) It is open to us either to attack his position by imputing full responsibility to him because he has not given effect to the Hadda Agreement, and/or by showing that most of the raids from Transjordan did not take place, the claims being, therefore, made in bad faith; or, alternatively, we can prepare to defend our own position.

His own case, formerly merely specious, but now more practical and significant, is already known to us. In the circumstances, attack would only bring counter-attack, and to skirmish would only cause irritation. It appears wiser first to win his trust, and later, by peaceful methods of persuasion, to induce him to co-operate.

(e) Should most of the raids from Transjordan be imaginary, Ibn Saud either has so little contact with conditions on his border that the tribesmen and/or such anti-English persons as Yusuf Yasin are deceiving him, or he is intentionally creating difficulties. The first appears improbable, the second would be explained only by some tactical necessity of playing for position. If he is looking for a jumping-off ground against "small district" of Transjordan he must have forgotten the warning we gave him about Iraq (Foreign Office telegrams Nos. 133 and 134 of last year). This is likewise very improbable.

(f) Foregoing summary can only point towards (a) careful watching of measures taken by Transjordan and (b) need to ascertain true facts concerning raids; (a) is being done. Would it not be possible to satisfy (b) by Mr. MacDonnell examining the raids, beginning with the last and going backwards, and telegraphing concise provisional reports, differentiating between the real and the imaginary?

[E 4528/89/91]

No. 36.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 129.)

(Telegraphic.)

Foreign Office, August 22, 1930.

YOUR telegrams Nos. 142 and 143 of 19th August: Hejazi protests regarding raiding situation in Transjordan frontier.

Colonial Office consider that, in view of insinuations of culpable negligence on part of Transjordan Government made in official Hejazi note of 28th July, it would be undesirable and unfair to Transjordan Government to allow further time to elapse before informing Ibn Saud of their new control measures. Unless, therefore, you see very strong objections, you should address note to Hejazi Government merely informing them, under instructions of His Majesty's Government, of measures described in paragraph 6 of Jerusalem telegram No. 51 of 7th August to Colonial Office, repeated to you No. 55, and adding that detailed reply to Hejazi note will be made after receipt of text and full reports from Transjordan.

This seems less likely to increase King's irritation than further personal letter to him; but if you think latter course preferable you may adopt it, adding, if you wish, explanation that Sir A. Ryan was unable owing to indisposition to carry out before he left instructions to give Ibn Saud this information.

[E 4632/89/91]

No. 37.

Sir A. Ryan to Mr. A. Henderson.—(Received August 27.)

(No. 211.)

Sir,

Jedda, August 7, 1930.

WITH reference to recent telegraphic correspondence regarding the general situation on the frontier between this country and Transjordan, ending with the telegram to His Majesty's High Commissioner for Transjordan repeated in your telegram No. 109 to me, I have the honour to forward herewith the following papers:—

Translation of King Ibn Saud's letter to me of the 23rd July, forwarded by the Acting Minister for Foreign Affairs with a formal coverer.

Copy of my interim reply to Fuad Bey Hamza of the 28th July.

Translation of Fuad Bey's official note of the 28th July.

Copy of my reply to the King of the 1st August.

Copy of my letter to Fuad Bey of the same date transmitting my reply.

2. As stated in my telegram No. 122 of the 1st August, I considered it important to take such early action as I could on the King's letter. My personal re-examination of all the recent papers showed me that a good case could be made out, and that even if the actual situation were worse, as it may well be, than appeared from a count of notified raids, the King was far too ready to put all the blame on Transjordan. I enclose an analysis of raids this year which I made from the files.

3. I was dealing at the same time with the protest against the actions of the Transjordan officer Abdullah-ar-Rihani (see correspondence ending with my despatch No. 212 of to-day's date), which I felt could be turned to good account. You will find a side reference to it in my letter to the King.

4. Fuad Bey came to Jedda on the 1st August. In order to push my counter-attack to the utmost, I spoke to him at length on the following day. He had opened my letter to the King under a general authority. I need not weary you with all that I said, as I followed in the main, though with greater freedom, the lines of that letter and my official reply to the ar-Rihani protest. I showed him my analysis. I think it impressed him, but he suggested that a situation might be worse than appeared from a detailed review of incidents. I agreed, but said that the only way to grasp a general situation and to tackle it was for the authorities on both sides to weigh it up, compare notes and collaborate—hence the stress I persistently laid on article 3 of the Hadda Agreement. I begged him to consider the Rihani case. Colonel Peake had heard of a recrudescence of raiding in April and had tried to do something. His messenger had been turned back, the local situation had developed and I had in due course received a violent protest. From May on, the recrudescence had produced raids from both sides. They did not seem to have been equally balanced, but that was a fact for which I could conjecture various possible reasons, e.g., the lure of the Wadi Sirhan and similar causes, or even the better police arrangements in Transjordan for keeping out raiders from the other side. The essential thing was that you could not have raids from one side without raids from the other, and that you could not have security unless measures were taken on both sides of the frontier.

5. I passed to the three points (see my telegram No. 120 of the 1st August) in which Fuad Bey had gone further than the King. I demurred to his suggestion that the Transjordan authorities must be either incompetent or culpably negligent. I said I had not hoped that the MacDonnell enquiry would produce a direct effect on the general situation; the idea was to make the liquidation of the past run concurrently with efforts to prepare a better future. I stressed the gravity of a disclaimer of responsibility in connexion with any frontier situation and the special gravity of such language in the present connexion. It could have several meanings. Did it mean that the King thought the situation beyond control? Did it mean that the King, thinking his tribes outraged beyond endurance, would cease to try to stop them from raiding? Did it mean that, if there were a repetition of the Ibn Musaad and Amir Neshmi enterprises, the King would condone them instead of disapproving of them as he had done in February? Did it mean that they might be repeated with some countenance from the King?

6. Fuad Bey promised to give me his personal views with equal frankness another day. When he reverted to the subject on the 5th August, however, he said he would prefer to limit himself to a few points. He tried once more to convince me that the Ibn Musaad and Amir Neshmi affairs, even if those gentlemen had entered Transjordan (a point on which both the King and he always make reservations), were not raids but punitive expeditions of a sort undertaken in circumstances of great provocation and urgency. I said I had no reason to doubt that the leaders had entered Transjordan. I quite realised that their enterprises had a special character, but I preferred to call them raids rather than call them invasions. Fuad Bey went into a long explanation of how our Air Force on the Iraq frontier had claimed the right to follow up in Nejd. He admitted that his Government had hotly denied it, but said they had finally expressed willingness to agree to a *droit de suite* both ways. I pointed out that unless such an agreement had been reached, he was defending the possibility of a right of pursuit into Transjordan which by his own account his Government had denied in regard to penetration from Iraq into Nejd. As for the Rihani affair, Fuad reminded me that he had merely given me an aide-mémoire and that Rihani had, in fact, been trying to do something for which no provision had yet been made in pursuance of article 3 of the Hadda Agreement. I replied that his protest, whatever the form,

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was violent and rested largely on an obviously cock-and-bull story. On my side, I had given him the facts and had drawn the morals. I had *not* complained of the refusal of the local authorities to allow Rihani to proceed to Jauf. It might have been better if Colonel Peake had set the diplomatic machinery in motion and moved this Legation to get permission for the journey; but that would have meant at least a fortnight's delay to get the Hejaz Government's assent, and the assent would probably have been withheld.

7. These conversations, strenuous as they sound, were perfectly amicable. They helped, I hope, to clear the air. Having received in the interval between them your telegram No. 109, I was able to tell Fuad Bey that His Majesty's Government were giving the matter their most serious attention.

8. I have been a little hampered by not having yet received from His Majesty's High Commissioner in Transjordan the detailed account of the work of the Tribal Control Board, which I hoped to have in May. I realise the great preoccupation of the High Commissioner, and I have meanwhile had the advantage of reading in the Mecca newspaper "Umm-el-Qura" of the 25th July an account of two cases in which, according to the Transjordan press, severe action has been taken by the board. The following is the gist of the "Umm-el-Qura" article:—

- (a) The "Umm-el-Qura" quotes the Amman newspaper the "Ardan" (issue No. 348) as publishing a report, under the heading "The Bedouin Tribes," to the effect that the Tribal Control Board has sentenced twenty tribesmen of the Beni Atiya and Howaitat to seven months' imprisonment for having participated in raids against Nejd tribes; that one of the sheikhs of the Shararat had been sentenced to one year's imprisonment; and that the paper learned with regret of such severity, and begged the Transjordan Government and the Amir to reconsider the sentences with a view to transmuting them into fines.
- (b) The "Umm-el-Qura" states in comment that it is a pity the "Ardan" did not give the names of the guilty tribesmen, so that it might be known whether the news was true or was merely circulated to create the impression that the Transjordan authorities *are* taking action to prevent and punish raids. Doubt is expressed as to anything having been done, for raids continue, and are being reported daily from the frontier by telegraph.

9. I am sending copies of this despatch and enclosures to His Majesty's High Commissioner for Transjordan.

I have, &c.

ANDREW RYAN.

Enclosure 1 in No. 37.

Ibn Saud to Sir A. Ryan.

In the Name of God the Most Merciful the Compassionate!

(Translation.)

27.2.1349 (July 23, 1930).

WE wish to inform your Excellency that our Government has submitted to us the information recently received by them concerning the Transjordan frontiers, details of which were lately communicated to your Excellency.

We would like to explain to you with complete frankness our feelings in regard to the raids carried out by the tribes of Transjordan against our subjects, so that you may be good enough to take the measures that are necessary to combat this bad state of affairs on the frontier.

News has reached us from certain Transjordan tribesmen who recently approached near to our territory to the effect that they and certain others had received through Shereef Shakir messages urging them insistently to raid the tribes of Nejd; but they, being amicably disposed towards us and not desiring to be used as tools by the Shereef Shakir, could not put up with such a state of affairs and came to us.

We attached no importance to the statement of these people, nor do we believe it. Nevertheless, we think it essential to inform the British Government of these rumours which are being spread among the tribes, and the result of which—as we see—is the chain of successive Transjordan raids on our subjects.

Anxiety and complaints among our subjects have reached such a pitch that it has become essential to put an end to the factors which give rise to the troubles on the frontiers and to strike with a hand of iron on the hands of those who disturb the peace and desire to make raids.

Unfortunately, we have seen that the measures, of which you were good enough to inform us, taken by the British authorities on the Transjordan frontiers do not produce the desired fruits and do not stop the raids against us; on the contrary, we see that recently they have increased to such an extent as to exceed the limit of mere raids of robbing and plundering and take on the form of organised expeditions, the object of which is to bring about an evil occurrence between the two countries.

We are certain that your Excellency's Government does not approve of these actions, but we would like to know what the position will be if these raids are allowed to continue in such a manner. We, therefore, would be glad if you will inform the British Government, and will kindly let us know what solution, in their opinion, is calculated to put an end to it, for the state of affairs has become very critical.

With best compliments,

(Seal) IBN SAUD.

Enclosure 2 in No. 37.

Sir A. Ryan to Fuad Bey Hamza.

My dear Minister,

Jedda, July 28, 1930.

A SLIGHT indisposition prevented me from at once acknowledging your letter of the 23rd July, which reached this Legation on the 25th July, enclosing a letter graciously addressed to me by His Majesty the King, in connexion with the Transjordan frontier situation. I am, of course, bringing the contents of the King's letter to the immediate notice of my Government. I am also preparing a reply in which I will lay before His Majesty certain considerations which I should like to lay before him as from myself, pending the further enquiries which his letter will necessitate in London. Will your Excellency be good enough to inform His Majesty accordingly.

Yours sincerely,

ANDREW RYAN.

Enclosure 3 in No. 37.

Fuad Bey Hamza to Sir A. Ryan.

(Translation.)

Your Excellency,

3.3.1349 (July 28, 1930).

I HAVE the honour to draw your attention to the fact that the situation on the Transjordan frontiers has lately become so critical that its danger is very much great. The Hejaz Government, in the circumstances, feel obliged to point out these dangers and the perils that may result if the matter is allowed to continue in such a dreadful state, so that they may avoid responsibility for the results of this situation.

2. Your Excellency will realise, from seeing the list of raids carried out by the tribes of Transjordan against Nejd since the date of the Treaty of Hadda until now, that the Government of Transjordan has not properly fulfilled the obligations imposed on them by the terms of that treaty. You will also realise, from seeing the list of raids carried out by the Transjordan Bedouin against Nejd since the date of Mr. MacDonnell's departure from Jedda till now, that such raids are outside the category of mere raids intended for plundering and robbing, but are a series of hostile attacks conducted on a large scale with a view to aggressing against Nejd and its tribes.

3. Your Excellency was good enough, during your conversation with His Majesty on the 12th June last, to mention the measures taken by the authorities concerned in Transjordan with a view to remedying that evil state of affairs and punishing the Transjordan tribes. Your Excellency will doubtless remember that His Majesty told your Excellency that he thanked those authorities for their care in

taking such measures, but the scale by which the arrangements can be measured is the result and the effect that they produce. There is no doubt that the continuation of these raids shows in the clearest way that such measures have never been sufficient nor adequate to put an end to the carrying out of such actions by the Transjordan Bedouin.

4. The Hejaz Government had been attaching great importance to the settlement of the question of raids between the two countries. They, therefore, greatly welcomed Mr. MacDonnell's mission and hoped that his coming will bring forth the best consequences. The fact, however, that raids against their tribes did not stop makes them doubt the possibility either of calming the situation or of bringing the necessary pressure to bear on their tribes in order to prevent them retaliating. Over and above this they feel convinced, from what they have noticed, that in this matter the Transjordan Government can only be in one of the following situations:—

- (1) Either they are actually unable to restrain their tribes; or
- (2) They are unwilling to do so.

In both cases, the Hejaz Government are compelled to approach the British Government and request insistently that they be informed of the final attitude which they should take up. In the circumstances, they consider it essential to point out that they cannot consider themselves responsible for what may happen henceforth as a result of the disturbing incidents on the frontiers if the situation continues as it is at present.

5. I enclose herewith a detailed list of raids that took place since Mr. MacDonnell's departure until now, so that you may be convinced of the truth of what I have mentioned above, and so that you will realise the importance of such hostile attacks of which the latest are the three recent raids ending with the raid of the Howeitat only two days ago.

6. The Hejaz Government most certainly request:—

- (1) That the guilty tribes should be severely punished and prevented from raiding.
- (2) That all criminal tribes who lately participated in the attacks and raids should be severely punished and restrained.
- (3) That the looted property should be restituted, blood money of the people killed paid and compensation made immediately.

With highest respects,
FUAD HAMZA.

Enclosure 4 in No. 37.

Sir A. Ryan to Ibn Saud.

Jedda, August 1, 1930.

Your Majesty,

(AFTER respectful compliments.)

I have the honour to acknowledge receipt of the letter which your Majesty was graciously pleased to address to me on the 23rd July regarding the situation on the Transjordan frontier. I am naturally bringing the contents of that letter to the immediate notice of my Government, who will undoubtedly give it their earnest attention. As, however, the necessary further enquiries may take some time, as I had the privilege of discussing the matter with your Majesty on the 11th June, and as I have not had the opportunity for which I was hoping of continuing that conversation before leaving for England, I venture to lay before you certain personal observations. In doing so I will use that frankness which is habitual to your Majesty and which you have graciously permitted me to use on my side also.

2. Your Majesty refers to recent communications addressed to me by your Government. Since receiving your letter I have made a fresh and close personal study of those communications and the similar complaints received from Transjordan. I do not express my opinion on the merits of the respective claims, as I could not do so without prejudice to Mr. MacDonnell's investigation. I merely take the statements made on both sides as an indication of the situation as seen by the authorities who have to deal with it.

3. I find that your Government have notified to my Legation twenty-six raids as having been committed by Transjordan subjects in the months January and February of this year; none in March; three in April; and eleven in the months May to July. It is worth noting that none of the January, February and April raids were specifically notified to the Legation before the 2nd June, and could not, therefore, be brought to the notice of the Transjordan authorities until long after the event; and that several of them are stated to have occurred after the unauthorised and provocative attacks on Transjordan by Ibn Musaad and Amir Neshmi.

4. Taking the same recent period, I find that four raids by Hejaz-Nejd subjects into Transjordan have been notified to the Legation (including those of Ibn Musaad and Amir Neshmi) as having been committed in January and February; none in March and April; and five in the months May to July.

5. I informed your Majesty on the 11th June that His Majesty's Government had reviewed the whole situation in April. I gave you a somewhat full description of the measures which had been or were being taken by the authorities in Transjordan. I now deduce two conclusions from my study of the notifications analysed above, namely:—

- (1) If there has been a renewal of raiding during the months May to July, after a lull in March and April, the situation during the last three months, as described in the detailed notifications of the two Governments, is less serious than that in January and February both as regards the number of raids and the total damage, except for the number of human casualties said to have been suffered by your subjects in two raids in May. It is, therefore, in my opinion, much too soon to assume that the measures taken by the authorities in Transjordan have been without effect.
- (2) It nevertheless remains true that raiding from either side of the frontier is always accompanied by raiding from the other. The situation cannot therefore be controlled from one side only. Parallel and continuous action on both sides, especially of a preventive kind, can alone produce that permanent improvement which your Majesty and my Government equally desire.

6. As I have said, I described to your Majesty on the 11th June the action taken on the Transjordan side both to punish and to prevent raids. We shared the hope, and I trust we still share the hope, that the outcome of Mr. MacDonnell's enquiry would make an end of the past and do much to appease the resentments created by the past. Under instructions from my Government I begged your Majesty to take measures for the future corresponding to those that had been taken in Transjordan. I once more pointed out the deplorable effects of the raids of Ibn Musaad and Amir Neshmi, of the failure of the Hejaz Government to punish them, and of the fact that no loot had recently been returned. I also drew your attention to the importance of giving effect to article 3 of the Hadda Agreement, a point to which I attached very special importance.

7. Your Majesty was pleased to inform me that you had issued fresh instructions for the punishment of raiders and the return of loot; that you had signified your displeasure with Ibn Musaad in a non-public manner and would punish him publicly if offenders on the Transjordan side were punished; and that you were making arrangements for the co-operation between the authorities on both sides contemplated in article 3 of the Hadda Agreement.

8. Now that seven weeks have elapsed, I would make the following observations on these three points: I am still without particulars of the measures taken by your Majesty to enforce your orders and to prevent raids. I told your Majesty that I know of no raid by Transjordan subjects conducted by persons in positions similar to those of Ibn Musaad and Amir Neshmi; but so far as I know those men still remain in positions of authority. I have heard nothing of the arrangements to bring article 3 of the Hadda Agreement into operation. On the contrary, your Government are pressing me for a reply, which I am now in a position to return within the next few days, to a protest against the action of an officer well-known to the Nejd authorities who was sent to Qaryat in May with the very object of obtaining from those authorities information regarding recent raids, with which his superiors wished to deal at once.

9. I ask your Majesty to forgive the candour of this letter. It is not written in a spirit of recrimination. One of the objects of my Government in charging me to deal with this subject personally with your Majesty was to get away from such a

spirit and to make a new start towards a better future. I desire nothing more than to make my contribution to such a future. I write in a spirit of sincere friendship for your country. It would help me greatly if your Majesty would inform me further before I leave for England of your views and conclusions on the three points mentioned in the previous paragraph of this letter.

With highest respects,
ANDREW RYAN.

Enclosure 5 in No. 37.

Sir A. Ryan to Fuad Bey Hamza.

(Personal.)

My dear Minister,

Jedda, August 1, 1930.

I ENCLOSE my reply to the King's letter to me of the 23rd July regarding the situation on the Transjordan frontier. I shall be obliged if your Excellency will forward it to His Majesty.

I have received also your note of the 28th July on the same subject. As I have dealt fully with the matter in my letter to His Majesty the King, I will not reply to the official note pending the receipt of instructions from my Government, to whom I am forwarding the whole correspondence. I should like, however, to discuss the matter further with your Excellency at the earliest opportunity, more especially with a view to elucidating the meaning of the Hejaz Government's disclaimer of responsibility for further developments.

With highest respects,
ANDREW RYAN.

[E 4428/223/91]

No. 38.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 134.)

(Telegraphic.) R.

Foreign Office, August 28, 1930.

YOUR despatch No. 167 of the 5th July, and your telegram No. 123 of the 3rd August: Hejazi disclaimer of responsibility for raids on Transjordan in which Ibn Mashhur was involved.

2. Please address reply to Hejazi Government's note of 10th June in following sense:—

3. After careful consideration of arguments advanced by Hejazi Government to support their contention that they cannot be held responsible for claims arising from raids in which Ibn Mashhur, Eddiheina and Errafdi were involved, His Majesty's Government find themselves unable to accept them as valid.

4. His Majesty's Government trust that, as a result of correspondence proceeding between King Ibn Saud and King Feisal, arrangements may be made for return of Ibn Mashhur to Hejaz-Nejd, and circumstances in which Hejazi disclaimer of responsibility was made would, in that case, no longer exist. His Majesty's Government must, however, make it clear that they cannot admit the principle that responsibility of Hejazi Government for acts of aggression committed by persons or tribes subject to their jurisdiction against one territory is dependent upon return of offenders to that jurisdiction from another territory in which they have taken refuge.

5. Furthermore, in the case of Ibn Mashhur, at any rate, examination of circumstances shows that argument of Hejazi Government could not apply to the two earlier of the three raids in which he was involved (see Transjordan telegram to Colonial Office, No. 52 of the 7th August, repeated to Jedda, No. 56). These raids took place long time before Ibn Mashhur joined the insurrection against Ibn Saud, and, indeed, before the insurrection had started. As regards the third raid, though Ibn Mashhur was one of the leaders, His Majesty's Government are informed that many tribesmen took part who did not accompany him to Iraq. Claim by Transjordan Government against these tribesmen is clearly not affected by Hejazi argument regarding Ibn Mashhur.

6. In reply to second paragraph of Hejazi note, you should reaffirm contention maintained by Sir A. Ryan (see paragraph 3 of despatch under reference), and point out that it is borne out by terms of point 4 in Ibn Saud's letter of 27th January

enclosed in Bushire despatch to Colonial Office No. 3 of 31st January. Undertaking of His Majesty's Government did not apply to Ibn Mashhur, whose case, moreover, was left over from meeting with Political Resident for discussion at meeting of two Kings.

(Repeated to Acting High Commissioner, Transjordan, No. 61.)

[E 4657/4309/91]

No. 39.

Sir A. Ryan to Mr. A. Henderson.—(Received August 29.)

(No. 218.)

Sir,

Jedda, August 11, 1930.

IN my despatch No. 184 of the 28th June I recorded a personal conversation with the Acting Minister for Foreign Affairs regarding the conditions governing diplomatic work in this country. One of my various reasons for choosing the moment of that conversation for a strong expression of views was that since the King went to Taif he was known to have been giving much of his time to questions of reorganisation of the administration of the Hejaz as well as to the revision of legislation. Comparatively little information had, however, been made public regarding his new administrative plans except as regards changes in the personnel of various departments, like Customs, municipalities, law courts, and certain committees, matters of considerable local interest, but not important enough to record in a despatch.

2. When Fuad Bey came back to Jedda early in August he himself returned to the subject of arrangements for foreign affairs. He told me on the 3rd August, by way of a personal though not very confidential statement, that the long-talked-of decision to make the Amir Faisal Minister for Foreign Affairs had been definitely taken. He, Fuad, would remain as second-in-command. The Ministry would be really organised in four sections as soon as men could be found to act as their heads. When they were complete, the heads of sections responsible for relations with the foreign missions would be either resident or constantly accessible in Jedda, it was not clear which. He himself would carry on the Jedda work until this could be arranged. The reorganisation would soon be publicly announced.

3. I welcomed this statement, provided it did not mean that I should be thrown back on heads of sections for the handling of important affairs. Fuad Bey reassured me on this point, and said that he expected to play much the same rôle *vis-à-vis* of the foreign representatives as before. I said that, as a personal matter, I should have preferred not to have had another intermediary besides himself between me and the King.

4. On this Fuad Bey made the most interesting part of his statement. The King, he said, was over-tired. He was at last listening to his doctors and trying to ease off, with a view to being able to reign rather than to rule. It was therefore proposed to delegate extensive powers to the Amir Faisal, who is to remain Viceroy of the Hejaz, and who will now take over much of the King's work in respect of foreign affairs.

5. It is hardly credible that Ibn Saud, masterful and restless as he is, should abdicate so much of his real power as the foregoing suggests, but it will be interesting to see what balance is achieved under the new arrangements.

6. It had already been announced in the "Umm-al-Qura" of the 18th July that one of the decisions taken during the recent conferences was to constitute in the Diwan a political department under Sheikh Yusuf Yasin. I asked Fuad Bey whether this new department would also be concerned with foreign affairs. He replied that it was being created to provide a single channel in the King's Palace system, through which matters dealt with in the Ministry for Foreign Affairs would pass. This is as it may be, but it is obvious that Yusuf Yasin will be in a strong position to ventilate his views, especially as Ibn Saud probably reposes more trust in him than in Fuad Hamza, to whom he probably clings more because of his utility and undoubted ability than because he has complete confidence in him. I consider it an exaggeration to regard Yusuf Yasin and Fuad as so closely united in what has been called the "Syrian group" as to see eye to eye on all matters, and Ibn Saud might well use the former as a check on the latter.

I have, &c.
ANDREW RYAN.

[E 4776/223/91]

No. 40.

Mr. Hope-Gill to Mr. A. Henderson.—(Received September 4.)

(No. 155.)

(Telegraphic.) R.

Jedda, September 3, 1930.

MR. MACDONNELL'S telegram No. 42 T. (enclosure 8 in Sir A. Ryan's despatch No. 178) fixed 1st August as time limit for acceptance of notifications of such raids as were made prior to that date. What is the position as regards subsequent raids?

2. I am receiving from Acting High Commissioner further particulars of both classes of raids both ways, and have replied by despatch that, as the former class are *sub judice*, no further action by me seems desirable. Do you agree?

3. I am not, however, clear whether investigation will cover raids made between 1st August and actual date of its formal opening, so I am at present confining myself to receipt of protests from one Government and their simple notification to the other Government (see Jedda telegram No. 179 to Jerusalem, copy enclosed in despatch No. 203 to you). Do you wish me similarly to communicate subsequent details received from either side about recent raids (a) against, and (b) by their tribes.

4. I suggest that such evidence regarding (a) may properly be communicated by this Legation in support of original protest, provided raid itself is not *sub judice*, but that later details as to (b), e.g., punishment inflicted, is primarily a domestic concern, and should only be communicated on special occasions (as in reply to Hejaz note of 28th July).

5. I am also requested by Acting High Commissioner to ask the Hejaz Government for further particulars of recent Transjordanian raid into Nejd. I realise that these are required for administration and police purposes, but am anxious not to allow diplomatic action to trespass on investigator's quasi-judicial function. Paragraph 5 of your telegram No. 132 speaks of *local enquiries*.

I request instructions.

(Repeated to Jerusalem, No. 220.)

[E 4907/1/91]

No. 41.

Mr. Hope-Gill to Mr. A. Henderson.—(Received September 10.)

(No. 159.)

(Telegraphic.)

Jedda, September 10, 1930.

FUAD has written a personal letter stating: "The intention has always been to regard this sum (the £10,000 enclosed in personal letter to Sir A. Ryan, dated 3rd August) as the one which His Majesty's the King promised in January last during negotiations with Colonel Biscoe."

He has also undertaken verbally and very unwillingly to write to Iraq Minister for Foreign Affairs to the same effect.

(Repeated to Bagdad, No. 229, and Bushire, No. 153.)

[E 4974/1/91]

No. 42.

Acting High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, September 13.)

(No. 422.)

(Telegraphic.) P.

Bagdad, September 12, 1930.

REFERENCE your telegram No. 338.
Following sent to Jedda, No. 39:—

"On the 10th September Nuri Pasha telegraphed to Fuad Hamza, stating that Ibn Mashhur had been guaranteed absolute pardon in respect of his life, property and personal freedom, and that he will travel to Hejaz via Damascus. He requested telegraphic confirmation.

"The telegram was sent without my being consulted as to the wording, but I hope that if Fuad Hamza shows any dissatisfaction therewith, the following additional information will reassure him: The conveyance of Ibn Mashhur by

air was impossible, as you know. The possibility of sending him from Basrah by sea was considered, but Ibn Mashhur was unable to face the long sea journey. It is therefore proposed to send him via Damascus, where His Britannic Majesty's consul will be requested to put him into touch with Hejaz representative. Latter should, if possible, be instructed to arrange for his onward journey, failing which, His Majesty's consul could doubtless make the necessary arrangements in consultation with Hejaz representative. I am in communication with His Majesty's consul at Damascus.

"I trust that Fuad Hamza will telegraph satisfactory reply with least possible delay, since Ibn Mashhur was expecting to start on the 8th September, and is becoming uneasy at the postponement of his departure. If further difficulties are raised he may take fright and refuse to go, and opportunity of settling this business to the satisfaction of all parties would then be lost. I should be grateful for any assistance that you may be able to give in this matter."

[E 4953/1/91]

No. 43.

Mr. Hope-Gill to Mr. A. Henderson.—(Received September 14.)

(No. 163.)

(Telegraphic.)

Jedda, September 14, 1930.

FOLLOWING addressed to Bagdad, No. 233:—

"Your telegram No. 39 S.

"I had a long interview with Fuad yesterday. On the receipt of Nuri Pasha's telegram he tried to consult me by telephone from Taif, but failed (this is true), so sent a telegraphic reply and came to Jedda to talk matters over.

"His reply apparently stated (1) that it was both improper and unnecessary for him to confirm a Royal promise, and (2) it was undesirable that Ibn Mashhur should return via Syria.

"He explained to me, as regards (1), that Ibn Saud's intention was neither to imprison nor dispossess Ibn Mashhur. His life was assured, and he would not be held to account for crimes of either *lèse majesté* or rebellion against the State. He would, however, have to answer any civil claims for loot which may be recoverable from him for his raids, e.g., on Transjordanian tribes. As to (2), Fuad insisted that proposed method of return offered no guarantee that Ibn Mashhur would leave Syria (and reach Hejaz), or would, indeed, be allowed by the French to leave. He stressed the disastrous effect of either eventuality occurring at this stage.

"In regard to point (1), I fear that it is quite impossible to demand further and more explicit undertaking from Ibn Saud (who alone can give it), without endangering the position already reached and embittering relations. With reference to (2), it is not clear what authority either His Majesty's consul or Hejaz representative could exercise to ensure return of Ibn Mashhur to Hejaz. Moreover, possible French action requires consideration, and in this connexion His Majesty's Government have stated that they could not agree to Ibn Mashhur's return through Syria except by the consent of the French Government (see Colonial Office telegram to Bagdad, No. 6, section B), in view of his past history and 'close association with Syrian [? group omitted]s.'

"Any course other than direct handing over seems fraught with danger. Although His Majesty's representatives have not ceased to disclaim His Majesty's Government's responsibility in the matter, we are deeply interested in avoiding disastrous ending. Would it be possible to cut Gordian knot by delivering Ibn Mashhur by air to the Hejaz authorities at Wehj, or, failing that, to Hejaz agent attached to MacDonnell investigation at Amman? In the latter case previous concurrence of Amir Abdullah would be required as guarantee, and it is just possible that I might be able to arrange with him to be kept there by agent to answer claims prior to his passing over into Nejd."

[E 4991/95/91]

No. 44.

Mr. Hope-Gill to Mr. A. Henderson.—(Received September 16.)

(No. 237.)

Jedda, August 27, 1930.

Sir,

WITH reference to your despatch No. 242 of the 17th July on the subject of Ibn Saud and the Yemen, I have the honour to report that the last issue of the "Umm-al-Qura" contains a *démenti* of news published in the Cairo "Ahram" of the 1st August from its correspondent at San'a to the effect that Ibn Saud would shortly be mobilising an army to conquer the Yemen, and that an advance guard had already reached Jizan.

2. The denial takes the form of stating that, well-informed sources having been sought as to whether this news was true, it was learned that it is false and groundless. In view of the official character of the "Umm-al-Qura," this *démenti* may be regarded as official.

3. I hope to be in a position to report later on the reorganisation of Hejaz-Nejd forces which is now contemplated and on the distribution of the large supply of arms and ammunition expected in steamship "Cracow." It would, I think, be of more than passing interest to know whether and how they were paid for in Poland, as Ibn Saud's financial position has until recently been supposed to preclude the possibility of such extensive and expensive purchases.

I have, &c.

C. G. HOPE-GILL.

[E 5121/1/91]

No. 45.

Acting High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, September 19.)

(No. 439.)

Bagdad, September 19, 1930.

(Telegraphic.) P.

YOUR telegram No. 355.

Position is as follows: The letter of pardon is acceptable to King Feisal and King Ali, but they think it essential to their own honour that Ibn Mashhur should of his own free will go to Ibn Saud. Moreover, any suggestion of compulsion would at once alarm Ibn Mashhur and cause him to resist to the utmost. At one time King Ali had persuaded Ibn Mashhur to accept pardon, but the latter is very nervous again as to his subsequent fate, and asked me recently to guarantee his personal freedom. This, of course, I refused to do.

In these circumstances it is not possible to settle route by which Ibn Mashhur shall travel without his own concurrence. He is an untutored Bedouin youth, and refused to travel by sea. Nor will he travel through Nejd, since he believes that he will certainly be murdered *en route* by the Nejd tribesmen who are at feud with him. I am strongly opposed to the suggestion that a Royal Air Force machine should convey him to Jedda, which would at once involve His Majesty's Government in responsibility, not only for Ibn Mashhur's delivery to Ibn Saud, but also for his subsequent fate. Iraq Government have not put forward this suggestion.

As King Ali sees no solution, he has decided to do nothing further till King Feisal has returned.

(Repeated to Jedda.)

[E 5140/223/91]

No. 46.

Secretary of State for the Colonies to the Acting High Commissioner for Transjordan.—(Received in Foreign Office, September 20.)

(No. 67.)

Colonial Office, September 19, 1930.

(Telegraphic.) P.

I SHOULD be glad to have your observations on Jedda telegram No. 155 to Foreign Office, repeated to you as No. 220.

As regards paragraph 1, His Majesty's Government propose now to invite Transjordan and Hejaz Governments to agree that MacDonnell's enquiries should be

regarded as covering all raids up to the 1st August, and that no claims shall hereafter be submitted by either Government in respect of such raids. Please inform me whether you see any objection to this proposal, and, if not, communicate it forthwith to Transjordanian Government.

Raids said to have occurred on and after the 1st August could probably be dealt with, as you have already suggested, by local enquiry and investigation carried out by respective Government, unless it proved possible to establish tribunal provided for by article 6 of Hadda Agreement.

As regards remainder of Jedda telegram under reference, His Majesty's Government propose that, as general practice, His Majesty's representative at that post should continue to transmit all communications between two Governments about raids, as at present, making it clear that, when the communication relates to a raid which occurred prior to the 1st August, he does so without prejudice to MacDonnell's investigations. He may, however, refrain from transmitting to Hejaz Government communication from you in particular case if he sees special reason for doing so. In such cases he should communicate his reasons to Foreign Office and to you. Please telegraph, repeating to Jedda, whether you agree to this procedure.

(Repeated to Jedda.)

[E 5154/223/91]

No. 47.

Mr. Hope-Gill to Mr. A. Henderson.—(Received September 24.)

(No. 168.)

Jedda, September 23, 1930.

(Telegraphic.) R.

YOUR telegram No. 134.

Copy of my reply to Hejaz Government's note of 10th June went to you by bag on 10th September.

I have received the following answer:—

1. His Majesty's Government appear to have overlooked article 5 of Hadda Agreement, which states that chief of tribe is to be held responsible. Hejaz Government therefore maintain refusal to accept responsibility for such leaders as remain with their property in territory to which His Majesty's Government promised to forbid them entry.
2. Hejaz Government further maintain that if a criminal commits a crime against a certain country, returns home, escapes to that country from his own Government's punishment and is there not punished but pardoned, his own Government cannot be held responsible.
3. As regards circumstances of Ibn Mashhur's raids. Whilst Hejaz Government were making strenuous efforts to punish him and others they escaped into Iraq.
4. With regard to "the only undertaking given by His Majesty's Government being to hand over such persons as were held by British authorities," His Majesty's Government also undertook several months before January, in their own name and in that of Iraq Government, to deny refuge in Iraq or Koweit to any rebel. In spite of this promise, repeated on several occasions, Ibn Mashhur, who, according to Iraq Government, had indulged in criminal activities against Iraq subjects, was given refuge in Iraq.
5. Although it was agreed in January to postpone discussion of Ibn Mashhur's case, that did not mean that Ibn Saud consented to its exclusion from the pact.
6. Hejaz agent's instructions not to discuss the case of Ibn Mashhur until he and his property are returned cannot, therefore, at present be changed.

Translation of note goes by bag 30th September.

(Repeated to Jerusalem, No. 241.)

[E 5167/223/91]

No. 48.

Acting High Commissioner for Transjordan to the Secretary of State for the Colonies.—(Received in Foreign Office, September 25.)

(No. 67.)

(Telegraphic.)

September 24, 1930.

FOLLOWING from Mr. MacDonnell:—

“(No. 6/A 239.)

“Hejaz agent made me an official communication Monday night received by wireless from Ibn Saud to the effect that the Hejaz tribal representatives were forbidden by him to give evidence on oath. This arises out of my informing the agent that, in accordance with the normal procedure of tribal law and custom, I should require his representatives to take the oath. The same point was discussed with the Transjordan agent, who had no objection, that Government, as you are aware, being in favour from the start of my presiding over a Bedouin tribunal, which of course comported the use of tribal custom therein, including the oath. Apart from the fact that this order to his representatives is a usurpation of discretion left to me by you to conduct my investigation as I saw fit, it disregards the basis on which the tribal representatives were appointed, namely, to take the place and answer for the actual participants in the raids and ‘to be at my disposal’ (see agreed memorandum with Ibn Saud). I agreed to his proposal somewhat reluctantly, in view of his hostile attitude and alleged difficulties in collecting actual participants or eyewitnesses, but only on assumption that I was as free to deal with their evidence as seemed good to me (and I made a special point of their being representatives in every sense of their tribes), as I would have been to deal with other witnesses. I have seen as little evidence here to help my investigation of both in letter and spirit as I saw in Jedda, although I do not attribute a large share in this to agent, who is terrified, and justly so, of not carrying out his instructions to the letter; but I must report that message, as I received it, caused me to wonder if Ibn Saud was not indicating to me manner in which I should conduct my enquiry. Unless restriction on taking oath is removed, I must regretfully but definitely decline to be able in majority of cases to make a recommendation worthy of the paper it is written on, or to agree that I should continue my investigation, since I do not think it compatible with my mission to make a recommendation with my hands tied, nor that His Majesty’s Government should assume the onus of giving an arbitral decision on disputed facts to which I have been prevented from applying normal, agreed and understood method of control and evaluation.”

(Repeated to Jedda.)

[E 5184/223/91]

No. 49.

Acting High Commissioner for Transjordan to the Secretary of State for the Colonies.—(Received in Foreign Office, September 26.)

(No. 71.)

(Telegraphic.)

September 25, 1930.

FOLLOWING from MacDonnell:—

“(No. 6/A 259 B.)

“A violent altercation, ending in high words and a good deal of mutual abuse, arose 24th September before my arrival for morning session between Hejaz agent and one of the principal Transjordan sheikhs. As far as I can gather, honours in vituperation were about divided, but as Hejaz agent is a guest here and abuse was showered on Government he represents, a very bad state of feeling has been created. Hejaz agent at first said he would not continue any further sittings with other side present, so I adjourned sessions for the day and asked Amir Abdullah to act as peacemaker, which he at once consented to do. Hejaz agent, to save his face and to anticipate reports by others, says that he is informing his Government and will await instructions from them before attending any further combined sittings with other side. I am informing you of this so that you may be au courant with situation if Ibn Saud takes it up further.”

Have requested MacDonnell to furnish full report as to cause of rupture so that it may be determined upon whom the blame primarily attaches. Meanwhile every effort is being made to conciliate parties.
(Repeated to Jedda.)

[E 5189/223/91]

No. 50.

Mr. Hope-Gill to Mr. A. Henderson.—(Received September 26.)

(No. 170.)

(Telegraphic.) R.

Jedda, September 26, 1930.

MACDONNELL’S telegrams Nos. 6/A 239 and 240.

I have received note from Acting Minister for Foreign Affairs stating categorically that—

1. Hejaz and Nejd subjects having submitted their claims to their Governments, latter verified them and approached British Government. They thus became responsible for seeing that they are dealt with. Claims were shown in the lists which have been forwarded to His Majesty’s Government. Hejaz Government, their agent and tribal representatives have nothing to add to them. Duty of both latter at Amman is to elucidate and prove facts, and not to enter into legal procedure or reconciliation.
2. Hejaz Government cannot agree to oath “because it entails loss of established rights” of their subjects.

I have tried to elucidate last statement by telephone, but failed to get Fuad. I expect him here to-morrow.

(Repeated to Jerusalem, No. 243.)

[E 5189/223/91]

No. 51.

Sir R. Vansittart (for the Secretary of State) to Mr. Hope-Gill (Jedda).

(No. 154.)

(Telegraphic.) R.

Foreign Office, September 27, 1930.

YOUR telegram No. 170 of 26th September: Transjordan frontier raids arbitration.

Attitude of Hejazi Government as revealed in their note and in Mr. MacDonnell’s recent telegrams is calculated to imperil whole arbitration. It is essential, therefore, that position should be cleared up without delay.

My immediately following telegram contains text of message from His Majesty’s Government to Ibn Saud on whole question. It would be preferable, if possible, to reach settlement without direct appeal to Ibn Saud. If, therefore, Fuad Hamza is available in Jedda, you should immediately approach him, utilising arguments contained in my immediately following telegram, representing matter as strongly as possible and explaining that, if he cannot guarantee satisfactory settlement without delay, you are instructed to communicate to the King forthwith special message from His Majesty’s Government. You should explain that this message is couched in strong terms, and that His Majesty’s Government hesitate to forward it without first representing gravity of situation to Fuad Hamza, as His Majesty may consider message reflection on his good faith. Unless this procedure produces satisfactory result within forty-eight hours of your interview, you should forward message to the King. If Fuad Hamza is not expected in Jedda within forty-eight hours of receipt of this telegram, you may forward message to King at once.

(Repeated to Acting High Commissioner, Transjordan, No. 68.)

[E 5189/223/91]

No. 52.

Sir R. Vansittart (for the Secretary of State) to Mr. Hope-Gill (Jedda).

(No. 155.)

(Telegraphic.) R.

Foreign Office, September 27, 1930.

FOLLOWING is message for King Ibn Saud referred to in my immediately preceding telegram:—

"His Majesty's Government view with deep concern the unfavourable turn which Mr. MacDonnell's investigation is taking as a result of attitude of Hejazi Government as revealed in their recent note. Hejazi Government apparently contend that the results of the enquiries held by them should be accepted by the British investigator as sufficient to establish claims of Hejaz-Nejd subjects. His Majesty's Government learn from Mr. MacDonnell that in accordance with this view Hejazi agent has already refused to allow spokesmen of Hejaz-Nejd tribes to give evidence on oath or to be examined in any way upon Transjordan claims.

"Your Majesty will remember that when Mr. MacDonnell visited Jedda it was more than once suggested that he should base his investigation on a study of the results already obtained by the Hejaz-Nejd authorities. Both Sir A. Ryan and Mr. MacDonnell rightly objected to this on the ground that it would destroy the essential character of an impartial investigation such as could alone form the basis of an arbitral award by His Majesty's Government. Such an investigation can only give results of any value if it be conducted independently and full opportunity be given to the investigator to examine all parties in whatever way he thinks best and if necessary on oath. It was understood that your Majesty finally accepted this view, and His Majesty's Government now learn with the utmost surprise that Hejaz-Nejd Government have apparently reverted to their original attitude.

"The situation now created is such as to endanger a settlement which His Majesty's Government hoped would materially improve the relations between Governments concerned. Your Majesty will remember that in inviting His Majesty's Government to act as arbitrators you gave them complete discretion to conduct any necessary enquiries and issue their arbitral award in whatever manner they thought best. They are therefore at a loss to understand the motives of the Hejazi Government in now attempting so seriously to fetter that discretion.

"If the Hejazi Government persist in this attitude, His Majesty's Government will not be able to assume the onus of giving an arbitral decision on disputed facts to which their investigator has been prevented from applying the normal method of verification and assessment which had already been agreed on and thus from making impartial or adequate recommendations. The responsibility for the consequent failure of the investigation and inability of His Majesty's Government to give their award and for any deterioration in Transjordan-Nejd-Hejaz relations which may follow will be a serious one and will rest with the Hejazi Government alone."

(Repeated to Acting High Commissioner, Transjordan, No. 69.)

[E 5257/223/91]

No. 53.

Chargé d'Affaires, Jedda, to Mr. A. Henderson.—(Received October 1.)

(No. 173.)

(Telegraphic.) R.

Jedda, September 30, 1930.

YOUR telegram No. 154.

I have had two long interviews with the Acting Minister for Foreign Affairs. He quickly realised the importance of the matter and urgency of decision, but stated that he could not possibly give definite answer without consulting the King, who is hunting near Taif. Fuad sent him telegraphic message this morning and learned from Emir Feisal that it would be delivered at midday to-day. Fuad is himself cutting short his visit here to leave early to-morrow morning for Taif, where he will receive His Majesty's reply.

If favourable, he will at once inform me by telephone (forty-eight hours expire to-morrow evening). If unfavourable, he will be in a position to join Ibn Saud without delay, and he will, I think, do his best to induce him to reconsider it.

In view of complication introduced by Ibn Saud being temporarily out of telephonic touch and of Fuad's evident anxiety to do everything possible to be in a position to give a satisfactory answer, I consider procedure has so far produced satisfactory results.

I have made it clear, however, that if I receive unsatisfactory or no answer before the Mecca mail leaves Jedda on the morning of 3rd October [? group omitted] no alternative but to post to him His Majesty's Government's message to Ibn Saud.

He begged me to believe he was spurred to this activity not by the imminence of this message but by his desire to settle the matter as soon as possible.

(Repeated to Jerusalem, No. 249.)

[E 5290/96/91]

No. 54.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 2.)

(No. 178.)

(Telegraphic.) R.

Jedda, October 1, 1930.

FOLLOWING for Sir A. Ryan:—

"As bag was closing yesterday Fuad gave me King's reply to your letter of 28th August. I could only enclose hasty translation. Better translation will be sent by next bag.

"It opens very friendly, states that Arabs bear no rancour, continues that he would not himself have broached the matter, although it annoyed him. Real facts having apparently not reached you, he has instructed Acting Minister for Foreign Affairs to tell you them (Fuad has promised personal letter to you in time for next bag).

"It being his habit to pardon, you may rest assured that everything he had against Biscoe, caused by latter's hastiness, is now quite washed away.

"He has no objection to meeting him for settlement of Persian Gulf question, but his visit to Nejd will be too short. If His Majesty's Government wish to negotiate through Biscoe in Persian Gulf, he will send a delegation, or if they send Biscoe or anyone else to Jedda, he is prepared to negotiate here.

"So far as he knows, no matters of importance relate to Koweit. Most important relate to commercial communications of Nejd, i.e., Bahrein. He has written to Sheikh Hamed on the subject.

"He looks to your early and healthful return."

[E 5256/89/91]

No. 55

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 360.)

Sir,

Foreign Office, October 2, 1930.

WITH reference to Sir A. Ryan's despatch No. 211 of the 7th August and to your despatches Nos. 229 and 233 of the 19th and 24th August, respectively, relative to the Transjordan-Nejd-Hejaz frontier situation, I have to inform you that His Majesty's Government have now considered in detail the Hejazi Government's note of the 28th July, together with those portions of King Ibn Saud's letters of the 23rd July and the 13th August to Sir A. Ryan, not yet dealt with by Sir A. Ryan direct.

2. I transmit to you the accompanying memorandum (for eventual textual communication to the Hejazi Government), embodying the replies of His Majesty's Government to the various protests and enquiries contained in the above-mentioned communications. As it has not yet been possible to give final sanction for the initiation of the new measures in Transjordan referred to in this memorandum, you should not communicate it to the Hejazi Government pending the receipt of further instructions from me, which will, if possible, be sent to you by telegram.

I am, &c.

ARTHUR HENDERSON.

[5382]

E 3

Enclosure in No. 55.

Memorandum.

HIS Majesty's Government have given their careful attention to the note of the 28th July addressed to Sir Andrew Ryan by the Acting Hejazi Minister for Foreign Affairs regarding the situation in respect of raiding across the frontiers between the Hejaz-Nejd and Transjordan. The Hejazi Government in that note expressed the opinion that the position had become exceedingly critical, and that the measures taken by the authorities of Transjordan to control their tribes were inadequate; they contended, further, that the Transjordan Government had failed to fulfil their obligations.

2. Since the investigation now being conducted by Mr. MacDonnell into the claims of both sides in respect of raids up to the 1st August will cover the period more especially referred to by the Hejazi Government, His Majesty's Government prefer not to express an opinion regarding the facts alleged or the responsibility for them, beyond noting that a careful analysis by Sir A. Ryan of the protests entered by the two Governments up to the end of July (which included the Hejazi Government's protests in respect of the eight raids mentioned in the list attached to their note of the 28th July) shows, in the opinion of His Majesty's Government, that the Hejazi Government have taken an exaggerated view of the situation. This analysis served as the principal basis of Sir A. Ryan's letter to His Majesty on the 1st August last, and the text of it was shown by Sir A. Ryan to Fuad Bey Hamza.

3. The view is expressed in the Hejazi Government's note, and in the letters addressed by His Majesty King Ibn Saud to Sir Andrew Ryan on the 23rd July and the 13th August, that the measures taken by the Transjordan Government to control the raiding situation are inadequate. As the Hejazi Government are aware, His Majesty's Government and the Transjordan Government have had this question under continuous review for many months past. Sir Andrew Ryan, on the first opportunity afforded him by the King after his arrival at Jeddah to take up his post, informed His Majesty of the steps that were being taken in the matter by the Transjordan authorities; and more recently the Hejazi Government have been officially notified, in Mr. Hope-Gill's note of the 24th August, of additional measures recently taken by the Emir Abdullah. It is the firm conviction of His Majesty's Government, as the Hejazi Government have already been informed on many occasions, that it is only by the fullest co-operation, exchange of information and consultation on the part of the authorities of the two countries, that any real improvement in the control of raiding can be achieved. In order to remove any misunderstanding as to the extent of the efforts which have been made on the Transjordan side to effect such an improvement, His Majesty's Government desire, before replying further to the Hejazi Government's note, to take this opportunity to give the Hejazi Government a comprehensive and up-to-date statement regarding the control measures taken and contemplated in Transjordan. These measures are as follows:—

4.—(a) A special body, entitled the Bedouin Control Board, of which the British Officer Commanding the Arab Legion is a member, has been established. The duties of this body include the examination of those guilty of raiding, the infliction of punishment and the confiscation and return of loot. Details of the board's action in these directions are referred to below.

(b) In order to increase the mobility and enlarge the sphere of action of the British forces, and thus to improve their control over tribesmen who may contemplate raiding, one company of the Transjordan Frontier Force has been fully equipped with motor vehicles.

(c) On the 30th April last, the Bedouin Control Board declared the area lying between the eastern and southern frontiers of Transjordan and Bayer, Jaffar and Tell Shahem closed to Bedouin, and announced that any Bedou found therein would be liable to be fired upon. By this measure the British air forces were enabled to treat any party seen from the air as raiders, and thus to eliminate the difficulty of distinguishing friend from foe, which had up till then much hampered their operations.

(d) During the past few months, detachments of armoured cars and aircraft have been stationed at the few water points in the Southern Desert of Transjordan, and intensive reconnaissance work has been carried out by aircraft. This has resulted in a considerable improvement in the situation; a number of raiders have

been captured and brought to trial, much loot has been recovered, and raiding parties have been turned back.

(e) On the 14th July the Emir Abdullah reiterated the orders referred to under (c) above, and issued a warning in the following terms:—

"We shall not be held responsible before God for any punishment which may befall tribes should they raid or instigate others to raid or withhold information about raiding. Whoever is found in the closed area shall be fired upon, and previous orders issued by the Bedouin Control Board must be respected."

(f) The Emir Abdullah has granted powers of arrest to British detachments patrolling the frontier area and those now stationed at the only water points in the desert of Southern Transjordan.

5. His Majesty's Government are informed by the British authorities in Transjordan that considerable results have already been achieved by these measures, more particularly as regards the scale of recent raids from Transjordan, which, contrary to the allegations made in the Hejazi Government's note of the 28th July, has of late sensibly diminished.

6. It is evident that an important factor in the control of raiding is the early receipt of intelligence of impending raids. As a result of the further consideration which has been given of late to the whole problem by the Transjordan Government in consultation with His Majesty's Government, the following additional measures are now being taken to improve the intelligence system at the disposal of the Transjordan authorities:—

(a) The appointment of a British intelligence officer on the establishment of the Arab Legion; the sphere of this officer's work will be more particularly the southern desert region of Transjordan, and he will have powers so extended as to ensure respect for the decisions of the Bedouin Control Board, of which he will be a member.

(b) The establishment of two advance intelligence posts at Azrak and Imshash (Bir Nam). These posts will be equipped with wireless telegraphy apparatus and will be manned by small parties, whose duty it will be to collect and report information regarding the movements of the Bedouin, thus enabling the Transjordan authorities to take immediate action to prevent raids or to turn back raiders. It is also proposed to station a similar intelligence detachment in the old Turkish fort near Mudawara and to provide this post with wireless apparatus.

7. The Hejazi Government will observe from the foregoing that the Transjordan Government, so far from neglecting their obligations in respect of the control of their tribes in the matter of raiding, have devoted earnest attention to the improvement of the arrangements for this purpose, and have taken and are taking stringent and costly measures to this end.

8. His Majesty's Government desire now to turn to another aspect of the obligations which rest upon both Governments in connexion with the raiding problem, namely, the punishment of offenders and the return of loot. His Majesty's Government are unaware what punishments, if any, have been inflicted upon chiefs and tribesmen of the Hejaz and Nejd who have been guilty of raids against Transjordan. During the period from the 20th July, 1928, to the 29th June, 1930, the Transjordan Government have inflicted fines and imprisonment on raiders on twenty-one occasions, as set forth in the first list attached to this note.* His Majesty's Government have learnt of only one case in which loot carried off by Hejazi or Nejd tribes has been returned by the Hejaz-Nejd authorities, namely, the case of the property looted by Nejd Shararat from a Beni Atia caravan on the 1st July last, and returned to its owners by the Governor of El Ula. On the other hand, during the period from February 1926 to the 12th August, 1930, the Transjordan Government have on twenty-three occasions restored looted property to the Hejaz-Nejd, including 1,388 camels and £517 gold. The details of these restitutions are given in the second list attached to this note.* Other restitutions have been made direct by Transjordan tribesmen to the tribes of the Hejaz-Nejd concerned. In this connexion, His Majesty's Government would draw attention to the circumstance that the task of the Transjordan authorities in controlling their tribes has been made most difficult owing to the latter's resentment at the fact that

* Not printed.

loot is confiscated from them and returned to the Hejaz-Nejd authorities, who, on their side, take no steps to return to Transjordan property looted by their raiding parties.

9. The Hejazi Government, in the second paragraph of their note of the 28th July, allege that the recent raids from Transjordan into the Hejaz and Nejd are "outside the category of mere raids intended for plundering and robbing, but are a series of hostile attacks conducted on a large scale with a view to aggression against Nejd and its tribes." This is a serious charge, to which His Majesty's Government and the Transjordan Government have directed especial attention. They do not admit any justification for this charge. The British authorities in Transjordan state, on the contrary, that the raids referred to were entirely local in inception, character and execution, and that the dimensions of raids have on the whole decreased of late as a result of the activities of the Transjordan Government.

10. One further and most important point in the note of the Hejazi Government requires attention. They disclaim responsibility for the future, if this situation continues. His Majesty's Government are not clear as to the scope which the Hejazi Government intended to give to this statement. They desire, however, to draw the attention of the Hejazi Government to the extreme gravity of any such refusal of responsibility in connexion with the situation on the frontier between two countries. Such an attitude would not only constitute a denial of obligations clearly recognised under international law and custom, but would be entirely at variance with the undertakings entered into by King Ibn Saud in the Hadda Agreement. His Majesty's Government are unable to admit any such disclaimer of responsibility in regard to a situation, which can clearly only be remedied by the full assumption of their obligations by the Governments of both countries and by the full measure of co-operation.

11. His Majesty's Government would once more draw attention to the importance of bringing into operation article 3 of the Hadda Agreement, whereby King Ibn Saud agreed that constant communication should be maintained between the local authorities on the two sides of the frontier. The authorities of Transjordan have from the date of that agreement been ready and anxious to carry out their part of it, but, so far as His Majesty's Government are aware, no steps have been taken by King Ibn Saud to fulfil the obligations accepted in that article. An instance of the unfortunate results of this failure on the part of the Hejazi Government to carry out a treaty obligation is afforded by the recent case of the Transjordan officer Abdullah-er-Rihani. It is unnecessary to enter into the details of this case, which were fully described in Sir A. Ryan's note to Fuad Bey Hamza of the 2nd August. It is immaterial to consider whether the Transjordan authorities would have done better to apply for facilities for this officer through slow-moving diplomatic channels. The salient features of the case are that, on receiving news of the recrudescence of raiding at the end of April, the officer-in-command of the Transjordan police forces took immediate steps to enlist the assistance of the Governor of Jauf in obtaining necessary information, and was denied that assistance. As a consequence, the repressive action of the Transjordan authorities was seriously hampered. Had article 3 of the Hadda Agreement been in operation, the mission of Abdullah-er-Rihani would have been accomplished normally within a few days, and the Transjordan authorities would have been in a better position to check the development of the situation which the Hejazi Government now deplore.

12. The question of article 3 of the Hadda Agreement is of such importance as to call for discussion in greater detail. It is evident that the exchange between the local authorities of the two countries of recent and accurate information regarding impending raids would be of great value in preventing the raiders from attaining their objectives. Similarly, an exchange of information regarding the identity of raiders and other circumstances of a successful raid would assist in the apprehension and punishment of the guilty parties and the capture and return of loot. The Transjordan authorities are much hampered in their efforts to identify, apprehend and punish raiders, by the inevitable inaccuracy of the information contained in the protests made by the Hejazi Government at Jedda, the length of time which often elapses between the perpetration of the raid and the receipt of the protest, the impossibility of checking the information given by conference with the local authorities of the Hejaz and Nejd, and of obtaining the evidence of Hejazi or Nejd witnesses. Instances of cases in which the Transjordan Bedouin Control Board have been compelled to discharge those accused of raiding for lack of evidence are given in the third list attached to this note.*

* Not printed.

13. In King Ibn Saud's letter of the 23rd July to Sir Andrew Ryan, reference is made to certain allegations against the Emir Shaker. His Majesty's Government are gratified to find that King Ibn Saud himself was loath to give credence to those allegations, though His Majesty felt bound to draw attention to them. Careful investigation by the Transjordan authorities proves the allegations to be devoid of foundation. There is, indeed, reason to believe that they were deliberately put into circulation by interested persons, whose evidence could have no value, namely, men of the Beni Atia tribe, who came originally from Nejd into Transjordan and raided thence into Nejd, but who now, it is understood, have returned to Nejd territories.

14. His Majesty's Government regret that they are unable to share the views expressed in the King's letter of the 13th August to Sir Andrew Ryan regarding the character of the raids conducted by Ibn Musaad and the Emir Neshmi, or to accept the reasons which His Majesty adduces in partial justification of those raids. The information in the possession of the British authorities admits of no doubt that the operations of the two officers extended into Transjordan, where they created a resentment all the greater because it was felt that, while the Transjordan Government were taking severe measures against raiders into Nejd, officers of the Hejaz-Nejd Government went apparently unpunished. While noting the assurance given by the King to Sir A. Ryan on the 11th June that he had visited his displeasure on Ibn Musaad in a private manner, His Majesty's Government can only again express their regret that His Majesty has not seen his way to punishing both that officer and the Emir Neshmi publicly, after telling Sir A. Ryan that he would be prepared to do so, if similar offences were punished in Transjordan, as the above recital shows them to have been, in fact, punished. For the rest, it is the hope of His Majesty's Government that Mr. MacDonnell's investigation will further elucidate the facts regarding the raids in question and pave the way for a settlement of claims arising out of them.

15. The views of His Majesty's Government on the whole of this important question may be summarised as follows: The investigations conducted by Mr. MacDonnell and the consequent arbitral decision of His Majesty's Government will, it is to be hoped, lead to the complete liquidation of the past. As to the present and the future, the Transjordan authorities, on their side, have adopted measures which have already produced a material improvement in the situation; they are about to adopt supplementary measures which will, it is confidently expected, lead to a still more marked improvement. A necessary condition of such improvement, however, must be that the Hejazi Government, for their part, will lend their whole-hearted co-operation by making every effort to control the tribes of the Hejaz and Nejd, by giving instructions for the fulfilment of their undertakings under article 3 of the Hadda Agreement and securing that their local authorities in the region of the Transjordan frontier collaborate fully and loyally with the local authorities of Transjordan, by communicating to the Transjordan Government full information regarding punishments inflicted on Hejazi and Nejd tribes guilty of raiding, by taking effective steps to confiscate and return looted property, and, finally, by agreeing to the establishment of the tribunal provided for in article 6 of the Hadda Agreement, and assisting in making it an effective instrument for the settlement of claims arising from raids from either side.

[E 5331/223/91]

No. 56.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 3.)

(No. 180.)

(Telegraphic.) R.

Jedda, October 2, 1930

MY telegram No. 173.

Acting Minister for Foreign Affairs telephoned this morning, without having had to visit Ibn Saud, to say that telegraphic instructions have been sent to Hejaz agent (1) to conform with Mr. MacDonnell's procedure in the matter of oath (although this method of probing Bedouin truth is frankly regarded by Hejaz Government as useless and confusing), and (2) to answer all Transjordanian claims (except of course those concerning Ibn Mashhur) which have been duly notified to Hejaz Government through this Legation. He added (3) King maintained his objection to voluntary settlements on ground that his subjects, having entrusted their claims to their Government, are now debarred from seeking independent solution.

I thanked Fuad for (1), and expressed regret at (3). Having used every possible argument to persuade Hejaz Government to allow their tribal representatives to

enter into voluntary settlements, even to doubtful point of representing such procedure as inherent in all arbitral proceedings. I fear further attempt at mere persuasion would be useless. Unless you consider Ibn Saud's ban on such settlements is clearly in nature of interference with His Majesty's Government's discretionary powers, I recommend that point be dropped. Instructions foreshadowed in your telegram No. 156 have not yet been received, but in view of the above I do not propose to act on them unless I hear from you further.

As to (2), I observed that condition attached to it had all the appearance of a final attempt to fetter discretionary powers vested by His Majesty's Government in Mr. MacDonnell to interpret phrase "within a reasonable time" as he thought fit. I should, however, submit point to you. Any further representations on it seem to depend on whether point is purely academic, or whether there are in fact Transjordanian claims already accepted for investigation although not formally notified to Hejaz Government.

I have heard no echo of altercation of 24th September as yet
(Repeated to Jerusalem, No. 255.)

[E 5343/223/91]

No. 57.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 4.)

(No. 182.)

(Telegraphic.) R.

Jedda, October 4, 1930.

MY telegram No. 180, last sentence.

Acting Minister for Foreign Affairs has telephoned to say that the King has just received news (delayed by break-down of Amman-Jauf communications) of an insult levelled on 29th September (*sic*)* by Hamid-bin-Jazi, of Howaitat, at Hejaz agent and Government. He added that, no adequate apology or punishment of culprit having apparently materialised, Ibn Saud was considering official representations to His Majesty's Government.

I thought it wiser not to disclose my knowledge of the incident, but impressed on Fuad that it was very desirable to confine the effect of any wordy strife between the Bedouin to local appeasement by Mr. MacDonnell and/or Amir Abdullah rather than enlarge them into the international sphere.

His reply was non-committal, and I fear still another obstacle may block investigation unless I can be supplied immediately with more adequate means to prevent its taking concrete form than have been given in Transjordanian telegrams to Colonial Office ending with No. 77.

(Repeated to Jerusalem, No. 257.)

[E 5388/3080/91]

No. 58.

Sir S. Barton to Mr. A. Henderson.—(Received October 7.)

(No. 131.)

Sir,

Addis Ababa, September 15, 1930.

WITH reference to my despatch No. 73 of the 9th June last on the subject of the visit to be paid to the Yemen by the German Minister here, I have the honour to report that the German Legation interpreter, who accompanied Dr. Prufer to Sanaa, has recently returned here with despatches.

2. The German Chargé d'Affaires informs me that Dr. Prufer left Sanaa without signing the treaty with the Imam. The negotiations apparently broke down on the two points indicated in paragraph 3 of my despatch under reference, namely, recognition of the Yemen's independence and integrity and of the right of jurisdiction.

3. With regard to the first point, Dr. Melchers added that he had been particularly asked to let me know that, in Dr. Prufer's opinion, the Imam's insistence on the recognition of the integrity of the kingdom and its boundaries was principally aimed at Great Britain, and, as he considered that our friendship was more important to Germany than that of the Yemen, he had maintained his Government's refusal to agree to the insertion in the treaty of the articles providing for such recognition.

4. I also gather that, during Dr. Prufer's passage through Aden, for the purpose of which I had furnished him with a letter of introduction to the Resident, an incident occurred with the Aden police, who apparently suspected him and his

* The word "*sic*" is cyphered.

interpreter of espionage. Dr. Prufer is said to have the intention of bringing the matter to the notice of His Majesty's Ambassador on arrival at Berlin.

5. Copies of this despatch have been sent to His Majesty's Minister at Jedda and to the Political Resident at Aden.

I have, &c.

S. BARTON.

[E 5396/92/91]

No. 59.

Mr. Hope Gill to Mr. A. Henderson.—(Received October 7.)

(No. 259.)

Sir,

Jedda, September 19, 1930.

I HAVE the honour to forward herewith the Jedda report for the months of July and August. I regret that owing to illness His Majesty's Minister was unable to prepare the July section before he left, and that owing to the pressure of other work I was unable last month to attempt it myself. I have, therefore, combined the material of both months into one report.

2. I am sending copies of this despatch and its enclosure to Ramleh, Jerusalem, Beirut, Damascus, Bagdad, Basra, Simla, Singapore, Kuala Lumpur, Aden, Addis Ababa, Lagos, Khartum, Port Sudan, the senior naval officer, Red Sea sloops, and the Royal Air Force Officer Commanding in Palestine and Transjordan.

I have, &c.

C. G. HOPE GILL.

Enclosure in No. 59.

Jedda Report, July and August 1930.

I.—Internal Affairs.

1. Local Government.
2. Religion—
 - (a) "Khalifat."
 - (b) Indian Moslem protest.
 - (c) Mr. Philby's conversion.
3. Agriculture—
 - (a) Policy.
 - (b) Locusts.
4. Finance—
 - (a) State of.
 - (b) Government debts.
 - (c) "Facilities" from His Majesty's Government.
 - (d) Transit dues at Bahrein.
5. Commerce: Losses on cargoes.
6. Social: Bachelors.

II.—Frontier Questions.

7. Transjordan—
 - (a) MacDonnell investigation.
 - (b) Raids.
 - (c) General situation.
 - (d) Er-Rihani.
8. Iraq—
 - (a) "Bon voisinage."
 - (b) Claims.
 - (c) Ibn Saud's agents.
 - (d) Ibn Mashhur.
9. Koweit—
 - (a) Customs.
 - (b) Ibn Arfaj.
 - (c) Honorary K.C.I.E.
10. Yemen.

III.—International Relations.

11. Great Britain—
 - (a) His Majesty's Minister.
 - (b) Hejaz Minister.
 - (c) London Postal Congress.
12. France—
 - (a) Treaty.
 - (b) Mission to Yemen.
13. Italy—
 - (a) Treaty.
 - (b) Yemen.

14. Germany—

- (a) Treaty.
- (b) Yemen.
15. Poland: Munitions.
16. Russia.
17. Turkey—
 - (a) Treaty.
 - (b) Legation.
18. Syria: Convention.
19. Palestine: Money Order Agreement.
20. Egypt: Relations.
21. Persia—
 - (a) Treaty.
 - (b) Legation.

IV.—Air Matters.

22. Hejaz Air Force.
23. Royal Air Force visits to Darin.
24. Pearlring flights.

V.—Military Intelligence.

25. Yemen "Front." (See also 10.)
26. Transjordan "Front."
27. Munitions. (See also 15.)

VI.—Naval Visits.

28. (a) H.M.S. "Clematis."
- (b) Foreign ships.

VII.—Pilgrimage.

29. "Asia" disaster.
30. Health.
31. Indian destitutes.
32. Forged rupee notes.

VIII.—Slavery.

33. "Matin" articles.
34. Interdepartmental Conference.
35. Manumission.

IX.—Miscellaneous.

36. Jedda cemetery.
37. Collapse of Legation building

I.—INTERNAL AFFAIRS.

1. Local Government.

IBN SAUD spent the whole of July at Taif surrounded by his sons, his Ministers, and the leading men of the Hejaz who were summoned to the summer capital from Mecca and Jedda to discuss internal reorganisation. Ibn Saud was said to be severely overworked, his intention to reign rather than rule.

Little is known of the deliberations, which were many, and less of their results, which are still barely visible. The Mecca "Umm-al-Qura" did indeed publish early in July the formation and composition of an Inspectorate of Government Departments. There was also a shuffling of the occupants of Administrative posts and an increased immixture of Nejdīs designed to stay corruption in the Customs and elsewhere. Talk of the reorganisation of the Foreign Office has not yet taken concrete form.

The King, still apparently more dictator than sovereign, refreshed himself during the first part of August by slaughtering gazelle at the purifying risk of being thrown from his Mercedes-Benz.

2. Religion.

(a) A report was received in July from Simla containing the opinion delivered by an Indian Moslem that Ibn Saud intended to proclaim himself Caliph of Islam. This man's reputation is unsavoury but he runs the Holy Carpet Factory in Mecca and is there prominent. His evidence is the only one which has come to hand lately of Ibn Saud's penchant for the Caliphate.

(b) That his Wahhabism is resented in other Moslem circles has again been shown by the representations made by the All India Shia Conference to his Excellency the Viceroy, a copy of which was received in July. The conference had sought British diplomatic intervention to restrain Ibn Saud's Government from "deliberately and continuously trampling down the religious susceptibilities of Moslems and of other sects," but his Excellency had replied that the settled policy of His Majesty's Government was one of neutrality in religious matters and non-interference in the holy places of Islam. No other similar repercussion has been recently noted.

(c) The Puritan Wahhabi faith has at last claimed Mr. H. St. J. B. Philby, who on the 8th August made a unique entry into Mecca, there to make his first profession of faith. He was closely followed into Islam by two other members of the European colony in Jedda, an Italian mechanic and a German commission agent.

3. Agriculture.

(a) One of the July issues of the "Umm-al-Qura" described the policy whereby certain of the Nejd Bedouin are being "civilised" by Ibn Saud, who collects them into villages, grants them gifts and subsidies to attach them to the soil, and, as their feudal lord, calls upon them in time of war for the supply of armed contingents and camels. There has been no other reference to the agricultural possibilities of central and northern Arabia.

(b) Representations were made to the Hejaz-Nejd Government by His Majesty's Minister in July with a view to permitting the International Locust Bureau of Damascus to send a scientific mission to investigate the extent and nature of the breeding grounds of the Nejdian locust. The expected reply was received that Ibn Saud considered it undesirable to send such a mission at present.

4. Finance.

(a) Indications multiplied during the last two months that all was still further from well with the public exchequer. It became increasingly the habit to meet governmental obligations by drafts on the Customs (April report, paragraph 7). Money was extremely tight throughout July and August. Credit fell to very near zero.

(b) Arms and ammunition bought last year from the Government of India (May 1929 report, paragraph 4) cannot yet be paid for, yet more have just been bought elsewhere (see 15 below) by the method of changing one's tailor. Payment of the Eastern Telegraph Company's cable account has been seriously in arrear. Messrs. Gellatley, Hankey and Co. and the Netherlands Trading Society, hitherto

purveyors of credit to the Government, will give no more. A bumper pilgrimage next year is already being anxiously looked to to replenish the public purse.

(c) Meanwhile Ibn Saud has appealed to His Majesty's Government to act as his "intermediary" for the purchase of his requirements in England, "where he still preferred to buy them although beset with offers from Poles, Germans, and the rest." The matter is still under consideration.

(d) Ibn Saud also asked in July for the remission of the 2 per cent. transit dues at Bahrein on a large consignment from Karachi of rice for his troops, but the Government of Bahrein has been unable to accede to the request.

5. Commerce.

Complaints made by the Calcutta Marine Insurance Association about the heavy claims arising from losses on cargoes incurred between ship and shore at Jedda were again brought to the notice of the Hejaz Government, and were mentioned by His Majesty's Minister to the King. As a result regulations were issued governing the registration and loading of dhows, the local form of lighter. It remains to be seen whether they will be strictly applied. Commerce generally has become as dull as is usual in the "off" season.

6. Social.

The "Umm-al-Qura" published in August the news that the Government had, "from dire necessity," referred to the Legislative Council a measure ordaining compulsory marriage for all upon reaching maturity. It was said that the excess female population of Nejd is to be mated with the bachelors of the Hejaz. Facilities are to be decreed in the shape of lighter dowries and cheaper weddings, but the problem of how to stall and feed a wife is to be left for private solution. There can be no turning out to grass in this country.

II.—FRONTIER QUESTIONS.

7. Transjordan.

(a) The preparations for Mr. MacDonnell's investigation into frontier raids continued throughout July and August. The 1st August was fixed by Mr. MacDonnell as the last date for receiving notifications of raids. The Transjordan Government accepted Ibn Saud's suggestion that spokesmen be named by the tribes implicated, and they named Sayyid Adeib-al-Kayed as their agent. The Hejaz agent, Sheikh Abdel Aziz, and his secretary, Tamimi, left Jedda for Amman on the 13th August in five cars to collect the tribal representatives on the way. To Mr. MacDonnell's request that individual culprits should be represented by their Government's agent, the Hejaz Government agreed, except in the case of Ibn Mashhur, for whom they continued to disclaim responsibility. Wireless facilities were requested by the Hejaz Government to enable their agent to communicate from Amman with Jauf, and were granted.

A duplicate of the Acting Minister for Foreign Affairs' reply to His Majesty's Minister's note of the 10th June was at length procured in July (June report, paragraph 7). It maintained the objection to any "reasonable" time being allowed for the acceptance of previous notifications of raids and pointed to the insecurity induced in Nejd by Transjordan raiders as good and sufficient reason why Mr. MacDonnell should not pursue his investigation in Nejd territory. Mr. MacDonnell's further study of the situation led him to the provisional conclusion that there was no immediate necessity for him to visit Nejd, and that question was therefore left in abeyance, but the Hejaz Government was informed that His Majesty's Government had definitely decided to allow Mr. MacDonnell to use his own discretion in interpreting the "reasonable" delay to be permitted for past notifications of raids. His Majesty's Chargé d'Affaires was also instructed to represent to the Hejaz Government the practical advantages of encouraging voluntary settlements between tribes, to be endorsed by the investigator and enforced by the two Governments concerned. No reaction to either communication was received by the end of August.

(b) Raiding continued in July and August on a relatively small scale. The Transjordan Government protested against two raids from Nejd, made on the 1st and 8th July, in which twenty-five camels were taken, two men killed and three wounded. The Hejaz Government protested against six raids alleged to have been

made on the 14th, 20th, 22nd and 26th July and on the (?) and 21st August, and to have cost some 960 camels looted and one man wounded. The Air Staff Intelligence were able to report, on very good authority, however, that the first three raids did not take place.

(c) On the 23rd July Ibn Saud addressed a personal letter to His Majesty's Minister, asking him to bring to the notice of His Majesty's Government what he held to be a critical frontier situation. He stressed the anxiety and discontent of his subjects caused by the failure of the measures taken by the Transjordan authorities to produce the desired results. Raids, he said, had not ceased, but had, on the contrary, assumed such proportions that they could no longer be regarded as mere raids for plunder but looked more like organised expeditions designed to make trouble between the two countries. His letter was followed by a long official note of the 28th July from his Acting Minister for Foreign Affairs, covering much the same ground, but also practically accusing the Transjordan authorities of culpable negligence, expressing pessimism as to the effects of the MacDonnell Mission, and definitely disclaiming the Hejaz Government's responsibility for future developments.

Sir A. Ryan answered the King's letter on the 1st August, stating that he was bringing its contents to the notice of His Majesty's Government, but submitting, in the meanwhile, his own observations in reply. These were to the effect that, from an analysis of recent protests, he deduced that it was too soon to assume that the measures taken by the Transjordan authorities had been ineffective and that, as raids provoke raids, the situation could only be permanently improved by parallel and continuous action on both sides. He adverted to the vagueness of Ibn Saud's account, given at an audience on the 11th June, of his own general measures, the unsatisfactoriness of his answer about his own officials' unpunished participation in raiding, and his continued failure to implement article 3 of the Hadda Agreement. In a personal answer to Fuad Bey, Sir Andrew stated that his official note of the 28th July would receive an official reply in due course.

His Majesty's Government at once instituted enquiries into the nature and effect of the measures taken in Transjordan and His Majesty's Chargé d'Affaires was instructed to return an interim answer stating some of the recent additional steps taken by the Amir Abdullah to prevent raiding. The enquiries continued throughout August. Before the end of the month, however, a contentious reply was received from Ibn Saud to Sir Andrew's letter of the 1st August and was forwarded to him in London. Its tone and contents pointed still more clearly to the need for a careful examination of Transjordan measures and of the truth or falsity of the alleged raids into Hejaz-Nejd territory before replying officially to the contentions of the Hejaz Government.

(d) The Hejaz Government's protest of the 9th June (June report, paragraph 11) against the alleged exceptional behaviour of a Transjordan officer named Abdullah ar-Rihani at the frontier post of Qaryat, received a convincing reply on the 2nd August after due investigation had been made. It was shown that this officer of the Arab Legion, so far from doing anything exceptionable, was acting under the orders of the Officer Commanding the Arab Legion to carry letters to and establish contact with the Nejd Governor of Jauf solely with a view to preventing and punishing raiding. His Majesty's Minister was able to make good use of this typical incident to rub into the Acting Minister for Foreign Affairs the effects of non-co-operation on the frontier wilfully imposed by the Central Government on their frontier officials.

8. Iraq.

The Anglo-Iraq treaty of the 30th June produced no audible local comment.

(a) After a lot more British spade-work the Treaty of Friendship and *Bon-Voisinage* between the Kingdoms of Iraq and Hejaz-Nejd (June report, paragraphs 12-14) was pushed bodily forward. The Hejaz Acting Foreign Minister wrote on the 27th July to his opposite number in Bagdad to say that his Government had now no objection to signing the treaty provided that negotiations were at the same time begun to conclude an extradition agreement, and to ask when a plenipotentiary could be sent both to sign the one and negotiate the other. A reply is still awaited.

(b) A further step forward was also made as a result of His Majesty's Minister's persistence in seeking payment of the interim recompense for raids into Iraq and Koweit promised by Ibn Saud in January (June report, paragraph 15). A cheque

for £10,000 was received on the 5th August. Ibn Saud had also written a few days previously to acknowledge King Feisal's judgment in the matter of the total compensation due by the Hejaz-Nejd to Iraq in respect of past raids. His letter, however, was accompanied by a note from Fuad Bey to Nuri Pasha taking it as evident that the sum of £30,000 adjudged by King Feisal represented the reduced total of Iraq claims only and presenting a list of Nejd counter-claims amounting to £20,000. He pointed out that this sum included damage by aeroplanes (a matter of something over £4,000) and tactfully left it to the British and Iraq Governments themselves to determine responsibilities. The matter is still under consideration. No raids were reported on this frontier during July and August.

(c) Representations were made to the Hejaz Government in August on behalf of the Iraq Government, who had drawn the High Commissioner's attention to the activities of some of Ibn Saud's agents in the frontier marches of Iraq and especially to the authoritative and menacing tone of a letter received from Ibn Saud by one of the Dhafir Sheikhs. A reply was received and transmitted to Bagdad, stating that in certain cases the Nejd officials were merely trying to get into touch with the Iraq officials, that other cases were being investigated, and that the letter was all a mistake, having evidently been wrongly addressed by an underling detailed to distribute several thousand similar letters to the frontier Bedouin of Nejd.

(d) Progress was made with the Ibn Mashhur affair (June report, paragraph 13) but it has not yet been disposed of. Ibn Saud answered King Feisal's letter in July, confirming his promise "concerning the guarantee of Ibn Mashhur's life and his well-being in the same way as others like him" and enclosing a letter of pardon to Ibn Mashhur himself. It was still uncertain at the end of August whether these letters would be considered as sufficient by King Feisal.

9. Koweit.

(a) The seriousness of the commercial blockade of Koweit by Ibn Saud and the need of concluding a Koweit-Nejd agreement on the lines of the Iraq-Nejd Bahra agreement engaged the renewed attention of His Majesty's Government in July. An exchange of views was sought in August with His Majesty's Minister as to the practicability of conducting negotiations on the Persian Gulf side and of isolating them from the consideration which Ibn Saud might well seek to have given to his own pretensions in that area. No conclusion has yet been reached.

(b) Ibn Arfaj, Ibn Saud's representative on the Koweit border (April report, paragraph 6) began to show increasing activity and high-handedness in his searches for camels supposed to have been stolen from Nejd. His Majesty's Legation, however, has not so far been called upon to intervene.

(c) It was currently said at the beginning of July that the bestowal published in the birthday honours of the Honorary Knight Commander of the Indian Empire on the Sheikh of Koweit had greatly displeased Ibn Saud (himself an Honorary Knight Grand Commander of the same Order) as being a "further proof that the rule of Koweit had passed from the Sheikh's to British hands."

10. Yemen.

Rumours that Ibn Saud intended to attack the Yemen again cropped up in July and were garnered into the Cairo press. A *démenti* was published in August in the Mecca "Umm-al-Qura." Owing to persistent local talk that His Majesty's Government would welcome, or at any rate would not view with disfavour, any offensive measures in that direction, His Majesty's Minister was authorised, should occasion arise, to deny any such suggestion. Mahmoud Nedim Bey, who was supposed to be employed by Ibn Saud in connexion with his Yemen aspirations, was told by him that his services would not be required and left the country in July.

III.—INTERNATIONAL RELATIONS.

11. Great Britain.

(a) The traditionally close and friendly relations were still further consolidated when His Majesty's Minister got well into his stride. July and August were busy months diplomatically. Matters treated at Sir A. Ryan's June audiences of the King were followed up in conversations with his Acting Minister for Foreign Affairs, who visited Jedda from the 11th to the 18th July and the 1st to the 4th August.

Fuad Bey let fall the remark that considerably more than three-quarters of the work of his Foreign Office is conducted with His Majesty's Legation. Sir Andrew proceeded on the 15th August on four months' leave of absence, and Mr. Hope Gill assumed the duties of *Chargé d'Affaires*.

(b) Sheikh Hafiz Wahba, first Hejaz-Nejd Minister to the Court of St. James, left Jedda on the 1st July for London, via Egypt (June report, paragraph 17).

(c) The Hejaz-Nejd Government's ratification of the Universal Postal Convention and other agreements, signed at the Postal Union Congress held in London in June 1929, was communicated on the 12th August to His Majesty's Government for deposit.

12. France.

(a) Negotiations for the conclusion of a Franco-Hejaz Treaty, similar to the Anglo-Hejaz instrument, were proceeding during July, but the Acting Minister for Foreign Affairs confidentially informed His Majesty's *Chargé d'Affaires* on the 31st August that there was a deadlock over the question of slavery. The French Government wished to insert an article similar to article 7 of the British Treaty, and to consecrate their right of manumission. Ibn Saud, however, was determined not to concede to France what he had only conceded to Great Britain as "part of the price paid for his independence."

(b) The French *Chargé d'Affaires* left on the 7th August in a French despatch-vessel on a mission, *purement protocolaire*, to the Imam of Yemen at Sana. M. Maigret explained that a French mission of some sort had visited Sana last December, had been well received, and had left with a letter from the Imam to the President of the French Republic. The sole object of his own mission was to deliver a suitable reply. He arrived at Hodeida, via Jibuti, on the 20th August.

13. Italy.

(a) Italy is in exactly the same position as is France (see 12 (a) above) in regard to the negotiation of a treaty with Ibn Saud.

(b) It is generally believed and was frequently said during July and August that Italy no longer cared what happened to the Yemen. She has even been credited locally with aiding and abetting Great Britain to aid and abet Ibn Saud's aspirations (see 10 above).

14. Germany.

(a) The Treaty of Friendship between Germany and Hejaz-Nejd, signed at Cairo on the 26th April, 1929 (August 1929 report, paragraph 21), has been approved by the German Law of the 28th July, 1930.

(b) The draft of a similar treaty with the Yemen was taken to Sana for signature there by the German Minister at Addis Ababa. Dr. Prüfer arrived at Sana on the 6th July, but did not reappear at Hodeida until the 20th August, the day on which M. Maigret landed there (see 12 (b) above).

15. Poland.

Two of Ibn Saud's Syrian entourage, Husein Bey and Ali Hakim, have been in Poland during the summer buying arms and ammunition. A consignment, consisting of 10,000 1898 pattern Mauser rifles, with bayonets and 10 million rounds of ammunition, together with one 1925 pattern 47-m/m *Pocisk* gun, adaptable to camel transport, in two loads, was landed from the steamship "Cracow" at Jedda on the 28th August. The rifles were part new and part used, and the whole consignment was valued at £80,000. A Polish mission, consisting of a Colonel Goronowsky [?] and an artillery expert was also on board. The "Red Sea kit," favoured by the "Cracow's" crew, consisted of a cap and *cache-sexe*.

16. Russia.

There has been nothing of special note to record in regard to Soviet activities in Hejaz-Nejd or in the Yemen.

17. Turkey.

(a) The Treaty of Friendship concluded between Hejaz-Nejd and the Turkish Republic on the 3rd August, 1929, was approved by the latter on the 15th May last. It is not yet known whether ratifications have been exchanged.

(b) The Turkish representative in Jedda informed his colleagues on the 11th July that the Turkish *représentation diplomatique* had been raised to the status of a Legation, with himself as *Chargé d'Affaires*. Seni Bey proceeded on leave of absence on the 1st August. His *remplaçant*, Memduh Bey, a very sick and aged Turk, died on the 14th August. Abdullah Mahfuz Bey arrived from Alexandria on the 25th August to take interim charge of the Legation.

18. Syria.

The "Mecca Convention" of the 19th March, 1926, made between Hejaz-Nejd and Syria for two years, has continued to be maintained in vigour every three months.

19. Palestine.

The Hejaz-Nejd Government, on the 16th August, signified its approval of the text of a Money Order Agreement with Palestine.

20. Egypt.

Nothing was achieved in July and August to place relations between Hejaz-Nejd and Egypt on a satisfactory footing. Nahas Pasha had intended on his return from London to take up the question of the recognition of Ibn Saud by Egypt and other outstanding matters, such as the treatment of the annual Egyptian Medical Mission sent for pilgrimage purposes. The fall of his Government has left everything in the air, and the Egyptian consul in Jedda has experienced a certain amount of friction with the local authorities as a consequence.

21. Persia.

(a) The Acting Minister for Foreign Affairs communicated to His Majesty's Minister in July a Green Book containing the text of the Treaty of Friendship between Hejaz-Nejd and Persia signed on the 24th August, 1929, and for which ratifications were exchanged at Jedda on the 16th June last (June report, paragraph 18).

(b) The Persian *Chargé d'Affaires* closed his Legation on the 30th July and followed his chief (June report, paragraph 16) on leave, stating that all correspondence was to be addressed direct to the latter.

IV.—AIR MATTERS.

22. Hejaz Air Force.

Chief Pilot Morris received orders from the Hejaz-Nejd Government on the 1st July to move the Hejaz Air Force from Darin to Jedda via Iraq and Transjordan (June report, paragraphs 19-22). Ibn Saud readily agreed to His Majesty's Government's suggestion that the Royal Air Force pilot and mechanic, who were to be lent for the purpose of flying the dismissed pilot's machine, should be conveyed to Darin in a flight of three Royal Air Force machines, which would then escort the Hejaz Air Force to Hinaidi for refitting. The flight left for Darin on the 22nd August, and all seven machines arrived in Iraq the next day. The refit was to take a fortnight.

23. Royal Air Force Visits to Darin.

The protest made by the Hejaz-Nejd Government on the 4th May (May report, paragraph 9) was conclusively answered on the 2nd July. His Majesty's Minister reminded the Acting Minister for Foreign Affairs of the part played by His Majesty's Government in the creation of the Hejaz Air Force and of their continued interest in its welfare. He explained that it was solely in order to render technical assistance that British aircraft visited Darin on the 24th January and the

13th April, the latter call being paid at great inconvenience by an air boat returning from India. While recognising that there was a technical omission in not obtaining the previous assent of Ibn Saud, he added that His Majesty's Government regretted the vigour of the language in which the protest was made.

24. *Pearling Flights.*

Some further progress was made in July towards preparing Ibn Saud's mind to view with civilised equanimity, and even in a spirit of co-operation, the desire of His Majesty's Government to open up the Hasa coast to aerial communication by the initial means of pearling flights (June report, paragraphs 20-21). In a note received on the 3rd July, in reply to His Majesty's Minister's representations of the 25th June, the Acting Minister for Foreign Affairs stated that Ibn Saud has issued orders to the authorities concerned with a view to studying the subject and searching in the islands off the Hasa coast for suitable landing grounds. In conversation with Sir A. Ryan on the 15th July, Fuad Bey amplified his statement, adding that it was too late to arrange anything this year as the pearling season was nearly over. Something has therefore been achieved in getting Ibn Saud to the point of recognising the possibility of allowing the flights and taking the question of landing grounds seriously. Sir Andrew proposed to go into the matter fully when on leave.

V.—MILITARY INTELLIGENCE.

25. *Yemen "Front."*

No reports of a reliable nature were received to indicate that Ibn Saud really intends to attack the Yemen (see 10 above). He maintained his outpost at Jizan.

26. *Transjordan "Front."*

Towards the end of August, however, local sources which may be considered reliable supplied the information that some concentration of tribesmen was taking place behind the Transjordan frontier at Hail and Tebuk. It was impossible to determine whether these movements were real or were simply the collection, exaggerated, of tribal representatives by the Hejaz agent for the purpose of the MacDonnell investigation (see 7 (a) above), or whether, again, they had something to do with Ibn Saud's impression that the frontier situation was critical (see 7 (b) above). Local rumours were naturally stimulated by the arrival of the "Cracow's" cargo of munitions. The "Daily Mail" of the 6th August contained a statement that Ibn Saud's plans for an assault on Transjordan were complete. A categorical denial was issued by the Hejaz-Nejd Minister in London to Reuter's agency.

27. *Munitions.*

A large consignment of arms and ammunition from Poland was delivered at Jedda by steamship "Cracow" on the 28th August (see 15 above).

28.

VI.—NAVAL VISITS.

(a) *H.M.S. "Clematis,"* Captain E. B. C. Dicken, R.N., who had recently taken over the command as senior naval officer, Red Sea Sloops, from Commander Ratsey, R.N., visited Jedda in *H.M. sloop "Clematis"* from the 15th to 17th July. The usual courtesy visits were exchanged, and Captain Dicken was able to cover with His Majesty's Minister all the ground of mutual interest.

(b) The Italian sloop "Lepanto" arrived on the 12th July and left on the 16th July. The French despatch-vessel "Montmirail" arrived on the 6th August and left the next day with the French *Chargé d'Affaires* on board (see 12 (b) above).

VII.—PILGRIMAGE.

29. *"Asia" Disaster.*

The official enquiry into the burning of the "Asia" (June report, paragraph 24) was concluded in August and the committee's findings were published in the "Umm-al-Qura." They were quite non-committal on the main points, the committee,

unaided by experts, having signally failed to get to the bottom of any of the important questions. The gutted wreck still lies on a reef at an angle of 45 degrees, a blot on Jedda's Red Seascape. The burning questions to which she gave birth seem to lie as dead as she.

30. *Health.*

No reaction has yet been noted to the protest addressed by the Hejaz-Nejd Government to the International Health Bureau in Paris regarding the aspersions cast upon the cleanliness of the last pilgrimage (June report, paragraph 25). In conversation in July with His Majesty's Minister, the Acting Minister for Foreign Affairs was very bitter against the Alexandria Quarantine Board. He was patiently shown reason, but when he boasted that in matters of health the Hejaz would hold her head high, he was reminded that it was a mistake to hold one's head high until one had the feet to stand on.

31. *Indian Destitutes.*

Largely as a result of the increased tendency of pilgrims to take advantage of the peaceful conditions in Nejd in order to perform the pilgrimage by the overland route from India via Persia and Iraq, the number of Indian destitutes at the conclusion of the pilgrimage was larger than usual. One hundred and nine-three were shipped home at Government expense in steamship "Akbar" on the 23rd July, 110 in steamship "Alavi" on the 6th August, and 79 in steamship "Jehangir" on the 29th August—a total of 382 in all.

32. *Forged Rupee Notes.*

In July, while spending his leave in Syria, the Indian vice-consul attached to His Majesty's Legation came across what he considered to be the clear tracks of the utterers of and dealers in the forged notes which gave so much concern to pilgrims during the last season (April report, paragraph 10). After appealing in vain for official monetary assistance to enable him to buy large quantities of these notes, he laid, with the financial help of a moneyed Indian merchant friend in Jedda, a trap in which to catch the miscreants. The friend's untimely departure for India, however, left him unsupported, and he again appealed to the Legation. The whole case has been submitted to the Government of India, who may consider it worth while to follow the scheme through.

VIII.—SLAVERY.

33. *"Matin" Articles.*

Twenty cuttings from the Paris "Matin" of the 26th May to the 15th June were received in July, posted anonymously from Brussels. They contained a series of articles on the subject of slavery in this part of the world, its origins in Africa, its traffic across the Red Sea, and its market in Arabia, written by a French journalist named M. Kessel, who had visited Jedda in the spring. All the points raised seem to have been already covered by Mr. Bond's exhaustive memorandum of the 6th March except for some hard words about the French Governor of Jibuti.

34. *Interdepartmental Conference.*

The record of an interdepartmental meeting held at the Foreign Office to consider the question of the naval search of vessels for slaves and arms was received in July. After a close examination of the legal, political and traditional bases, the conference agreed that, (1) as regards Hejazi and Asiri vessels, the practice of searching suspicious dhows both on the high seas and in territorial waters should not be discontinued; that dhows carrying slaves should, as hitherto, be taken to a British port, but that, in view of the lack of sufficient legal ground, no action should be taken in the case of arms; that (2) as regards Nejd vessels, seeing that they were not engaged in slave-running, which occurred much further south, the best course would be to refrain as far as possible from searching or supervising them; and that (3) as regards Yemeni vessels, there appeared to be no reason for modifying the present practice of search and seizure. The Admiralty representatives reserved their right to raise the question of arms separately.

35. *Manumission.*

Nine slaves were manumitted by the Legation during the period under review and packed off to Suakim or Massowa. An eleventh-hour incident arose over the despatch of four of them. When they were already on board the Italian boat for Massowa, the Acting Minister for Foreign Affairs rang up the local authorities to order them to hold up the ship and the Italian consul to request him to have the slaves disembarked. M. Sollazzo loyally replied that, having been received by the British Legation, they could only be handed back to that Legation. Fuad Bey thereupon rang up to ask His Majesty's Minister to return the slaves on the grounds that they were royal slaves who had just escaped and were "wanted." He was speedily convinced of error, but insisted that at least one of them was Ibn Saud's own property, lent to one of his Ministers. Upon Sir A. Ryan's request for a written statement to this effect, coupled with apt allusions to the League of Nations and public opinion, the matter was quickly dropped at the Mecca end and the vessel left with the manumitted slaves on board.

IX.—MISCELLANEOUS.

36. *Jedda Cemetery.*

His Majesty's Minister took up in July the question of the proper care and maintenance of the Christian cemetery in Jedda, the whole aspect of which is desolate and repellant. It contains some 100 graves, of which only about twenty are marked with any sort of monument. The Legation has now taken over the charge for a year; archives are being searched for information about the past, and future improvements are to be studied in the winter when the European colonies will have reassembled.

37. *Collapse of Legation Building.*

On the day following His Majesty's Minister's departure on leave the roof and all the floors of one wing of the office building collapsed during office hours, carrying the greater part of the Chancery with them. By the timely operation of a number of unconnected lucky chances nobody was killed, the chief sufferer being a negro who was cleaning the electric plant on the ground floor. He escaped all but the fringe of the falling debris and emerged quite white, only a pair of rolling eyeballs being visible through a plaster cast.

The building, all the joists and timbering of which are of the same antiquity, was evacuated. Chancery and the public office were removed to the Legation residence and temporary accommodation was found for the Indian section and dispensary. It is hoped to repair and reinforce the office building in time for His Majesty's Minister's return in December.

[E 5397/89/91]

No. 60.

Mr. Hope Gill to Mr. A. Henderson.—(Received October 7.)

(No. 260.)

Sir,

Jedda, September 20, 1930.

WITH reference to your telegram No. 144 of the 12th September on the subject of the August crop of rumours about Ibn Saud's projected attack on Transjordan, I have the honour to report that the "Umm-al-Qura" of the 12th September published a long leading article entitled "Lies of Intriguers."

2. It states that the recent rumours that war was about to be made on the Yemen, that large forces were concentrating on the Transjordan front, and that a dispute had arisen between Nejd and Iraq, were the work of mischievous people whose aim was to discourage Moslems from making the pilgrimage. These rumours, it asserts, are false and groundless, relations between Hejaz-Nejd and its neighbours being of the friendliest character.

3. The article is followed by an official statement to the effect that the news of a similar nature recently published in the foreign press is false, and that His Majesty most earnestly wishes his relations with neighbouring Governments to be based on friendship and complete accord.

4. The publication of this statement is probably due to my conversation of the 2nd September with the Acting Minister for Foreign Affairs. I sounded Fuad Bey about the rumoured tribal concentrations at Tebuk and Hail, and he told me how the Hejaz Minister in London has been instructed to deny them. To my comment that it was a pity that so much local talk to the same effect did not meet with the same official check, he replied that it was impossible to reply to every idle word that was said. He evidently thought better of it on his return to Taif.

5. I am sending copies of this despatch to Jerusalem and Bagdad.

I have, &c.

C. G. HOPE GILL.

[E 5398/2/91]

No. 61

Mr. Hope Gill to Mr. A. Henderson.—(Received October 7.)

(No. 261.)

Sir,

Jedda, September 20, 1930.

WITH reference to my immediately preceding despatch in which I reported the publication in the "Umm-al-Qura" of a leading article stigmatising as lies the rumours of projected attacks on the Yemen and Transjordan, I have the honour to add that the same article goes on to deal with other rumours connected with the Hejaz Air Force.

2. These rumours, it avers—although I had not myself heard them—would have it that Nejd had ceded part of its territory to a foreign Power. For instance, the Government had established an aerodrome for the British Government at Darin, and this was the beginning of the establishment of British influence in those parts, it being the intention to transfer the headquarters of the British Political Resident in the Persian Gulf to Darin.

3. The editor explains that the truth of the matter is that the Government purchased some aeroplanes last year as the nucleus of a military air force and had decided to employ some foreign pilots under contract for a fixed period in order to train Arab officers to fly. It had also been decided to station the air force at Jedda, but military operations had necessitated its temporary quartering at Darin. As a natural consequence it had been also necessary to prepare some aerodromes along the Hasa coast opposite Darin Island. The circumstances which had led to this temporary use of Darin having changed, the air force had been transferred to Jedda.

4. The article is supported by an official statement declaring to be absolutely groundless the rumours published in the press that Darin was to be occupied as a British aerodrome and as the British Residency in the Persian Gulf.

5. Being of necessity ill-served here with news of the outer world, I am unable to say whether such rumours have really been published or whether they have been put up as skittles in order to impress people with the very independence of this would-be very independent country.

6. I am sending copies of this despatch to Bagdad and Bushire.

I have, &c.

C. G. HOPE GILL.

[E 5427/223/91]

No. 62.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 8.)

(No. 186.)

(Telegraphic.) R.

Jedda, October 7, 1930.

MY telegram No. 182.

I have received from Acting Minister for Foreign Affairs note stating that insult has had such painful effect that it has been found necessary to order Hejaz agent to refrain from attending proceedings until he has obtained proper satisfaction.

Latter has been instructed to request—

1. Written apology from Transjordanian Government, to be publicly read in session and delivered to Hejaz Government through diplomatic channel.
2. Immediate exemplary punishment of Ibn Jazi.

[5382]

F 3

Fuad asks me to take "whatever steps are possible in the matter," and expresses hope that he may be informed at earliest opportunity of decision taken.

He telephoned to me to make sure I had received note. I expressed regret that he had thought fit to take action on what might prove to be insufficient basis, and said that I would inform you.

(Repeated to Jerusalem, No. 260.)

[E 5477/223/91]

No. 63.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 164.)

(Telegraphic.) R.

Foreign Office, October 9, 1930.

YOUR telegram No. 181 of the 7th October: Investigation into Transjordan-Hejaz-Nejd raid claims; insult to Hejazi agent.

Following is repetition of telegram No. 89 of 9th October from High Commissioner for Transjordan to Colonial Office:—

"Following from MacDonnell:—

"In the light of knowledge that Ibn Saud, informed by his agent here that chief secretary, Transjordan Government, was sent to apologise, and that the Amir personally expressed his regrets at the occurrence, I find it difficult to avoid conclusion that incident is being utilised for purpose of wrecking investigation I am here to make. I see no prospect of making any further progress unless a written undertaking is received from Hejaz Government in terms admitting of no subsequent modification to the effect that its representatives here are to assist my enquiry as I direct them, and that no instructions to them from their Government upon any matter appertaining to my mission over-ride any instructions I see fit to give. These constant adjournments to meet wishes of Hejaz agent not only render my position intolerable by making it appear that I am at the disposal of that Government as and when it sees fit, but also bring the whole of the proceedings into contempt. The Transjordan representatives do not understand why, when they are ready to follow the course prescribed by your investigator, Hejaz people should have unlimited latitude to arrest proceedings, and I am frankly unable to give them any reason, to say nothing of a convincing one, for continuance of such a state of affairs. Failing an assurance of this kind, I must with all respect ask to be relieved of any further responsibility to His Majesty's Government for conducting enquiry any further, as I can see no reasonable prospect of a successful issue under existing conditions."

[E 5481/223/91]

No. 64.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 10.)

(No. 191.)

(Telegraphic.) R.

Jedda, October 9, 1930.

JERUSALEM telegrams Nos. 87 and 88.

I understand from Acting Minister for Foreign Affairs that Ibn Saud leaves wording of apology and nature of punishment to His Majesty's and Transjordanian Governments. It is, however, naturally to be supposed that, as the insulted party (it being borne in mind that Ibn Saud is effective "Hejaz Government"), he will reserve to himself the right to refuse what he considers inadequate reparation.

I am not yet in possession of full details, but Mr. MacDonnell's telegraphic reports show that whatever the cause or course of the quarrel, abuse was showered upon friendly Government. Request for an official apology and for individual punishment sufficient to dam any further outburst therefore seems reasonable. Whether reasonable or not, Hejazi conditional abstention from further proceedings is a fact to be faced and a lever which Ibn Saud will hold on to.

In view of his attitude as disclosed by Fuad, in contemplation of serious delay to which any opening for haggling will lead, and in the light of present information, I submit the propriety of offering a fully adequate apology, necessity for inflicting punishment of evidently deterrent nature, and advisability of giving publicity equal to that of insult, *e.g.*, in morning session before Mr. MacDonnell's arrival.

I much regret I cannot support the argument that incident is closed.

(Repeated to Jerusalem, No. 264.)

[E 5475/223/91]

No. 65.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 166.)

(Telegraphic.) R.

Foreign Office, October 10, 1930.

YOUR telegram No. 186 of 8th October and Transjordan telegram No. 89 to Colonial Office of 8th October: Transjordan raids investigation—Hamid-bin-Jazi incident.

Please reply to Hejazi Government on following lines:—

His Majesty's Government, while regretting occurrence of incidents such as that complained of, cannot admit that they can have any bearing on main question of investigation.

Incident did not occur in presence of British investigator, who, in any case, as impartial authority independent of either side, cannot be held responsible for conduct of private individual connected with one of the parties whose claims he is investigating. Transjordan Government was in no way associated with conduct of offending sheikh, and, as will be seen from my immediately following telegram, took immediate steps to express regret for incident and to endeavour to effect reconciliation.

In circumstances, His Majesty's Government must protest most strongly against attempt on part of Hejazi Government to make future course of investigation—success of which is admittedly important in interests of all three Governments—dependent on settlement, on Hejazi Government's own terms, of incidental occurrences of this kind.

You should therefore make urgent appeal to Hejazi Government to withdraw their demands, and to cancel instructions which they have apparently issued to Hejaz-Nejd agent to refrain from attending proceedings. If they refuse, His Majesty's Government can only regard their action as deliberately aimed at bringing investigation to an end before it has achieved its purpose.

You may add that Mr. MacDonnell has stated that unless Hejaz-Nejd agent is instructed to afford him full co-operation in enquiry and to refrain from further obstruction he must ask to be relieved of his duties forthwith, which would, of course, make it impossible for His Majesty's Government to give their arbitral award.

As regards incident itself, which should be dealt with separately from main question of fate of investigation, see my immediately following telegram.

(Addressed to Jedda, No. 166. Repeated to Transjordan, No. 76.)

[E 5475/223/91]

No. 66.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 167.)

(Telegraphic.) R.

Foreign Office, October 10, 1930.

MY immediately preceding telegram: Hamid-bin-Jazi incident.

Demands of Hejazi Government are unreasonable. Within a few hours of dispute Amir sent his Acting Chief Minister to Hejaz-Nejd agent at his hotel to express his regret that incident had occurred, and to ask him to come to palace to see him. At palace Amir took steps to reconcile Hejaz-Nejd agent with Hamid-bin-Jazi, who had previously been severely called to task by Amir for his behaviour to a guest of the country.

[5382]

Hejazi Government were evidently unaware of above when they put forward their demands. You should accordingly explain position to them and point out that, as regards their first request, expression of regret has already been made by Amir to Hejaz-Nejd agent, and as regards second request, offender has already been severely reprimanded.

In circumstances, and seeing that Transjordan authorities were not directly involved, His Majesty's Government do not consider that Amir can reasonably be expected to do more, and, in their view, to pursue matter further would be to give it wholly exaggerated importance.

(Addressed to Jedda, No. 167. Repeated to Transjordan, No. 77.)

[E 5489/223/91]

No. 67.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 12.)

(No. 193.)

(Telegraphic.) R.

Jedda, October 11, 1930.

YOUR telegrams Nos. 166 and 167.

I have addressed two separate notes to the Acting Minister for Foreign Affairs and a personal letter embodying the latter part of your telegram No. 166. They cannot reach him before the evening of 13th October, but I will also see what can be done by telephone to-morrow morning. If I had had this information at once (instead of only the aspect given in Transjordan telegrams Nos. 73 and 77 to me) I could certainly have forestalled, and probably discounted, Hejaz agent's version, and possibly have prevented his Government from committing themselves to a public standpoint from which they may now find it incompatible with prestige to withdraw.

(Repeated to Jerusalem, No. 267.)

[E 5490/3094/91]

No. 68.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 12.)

(No. 194.)

(Telegraphic.) R.

Jedda, October 11, 1930.

MY immediately preceding telegram.

I strongly feel the necessity for closer liaison by Jerusalem and Bagdad with Jedda if we are to save relations with this Government from the strain imposed by frequent exercise of our powers of persuasion and pressure.

It should serve to remove obstacles such as this before their consolidation and poison like Mashhur's before it becomes active.

[E 5548/223/91]

No. 69.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 13.)

(No. 196.)

(Telegraphic.) R.

Jedda, October 13, 1930.

MY telegram No. 193.

I learn from Acting Minister for Foreign Affairs that his Government (1) consider satisfaction inadequate; (2) agree to separate incident from main course of investigation; (3) have instructed their agent to place himself and tribal representatives again at Mr. MacDonnell's disposal, but to have nothing to do with Transjordanian representatives until satisfaction requested is given. This meant no joint sittings.

I pointed out contradiction between this and (2). Fuad admitted that it interfered with established procedure, but insisted that, Hejaz Government having been publicly insulted, their honour was at stake. This was as far as they could go to meet His Majesty's Government's wishes and [? omitted: was] sufficient to ensure continuance of investigation.

In reply to my further representations and request for withdrawal of remaining condition, he developed his Government's views on inadequacy of Amir's action to efface the insult laid openly on a friendly Government and not merely on their agent. Decision could not be altered. Something public and exemplary is evidently wanted. I am to receive official replies to my notes on 15th October, when I will telegraph gist.

(Repeated to Jerusalem, No. 268.)

[E 5539/223/91]

No. 70.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 13.)

(No. 197.)

(Telegraphic.) R.

Jedda, October 13, 1930.

MY telegram No. 196.

I have received from Acting Minister for Foreign Affairs note dated 11th October reporting occurrence of another incident. Mutlaq-bin-Zaal is said to have insulted Hejazi tribal representatives.

He presumed agreement that to allow series to continue is undesirable.

Had Hejaz Government had any idea that such things would happen where their representatives were gathered to liquidate old differences they would not have exposed them or their Government honour to insult.

He feels sure that His Majesty's Government disapprove and will show their displeasure by the action which they will order to be taken against these two persons.

Translation by bag.

(Repeated to Jerusalem, No. 269.)

[E 5591/223/91]

No. 71.

Mr. MacDonnell to Lord Passfield.—(Communicated by the Colonial Office, October 15.)

My Lord,

Jerusalem, October 1930.

A SHORT interim report on the progress of my enquiry up to the present may be opportune at the present juncture, so I take advantage of the air mail to-day to send your Lordship a brief account of the proceedings up to date.

Immediately the Hejaz agent arrived in Amman at the beginning of September, having taken some six weeks to get there, I started checking with him the lists handed me at Jedda. They contained 226 claims, of which forty-nine had been notified to His Britannic Majesty's Minister in June 1930, after I left Jedda. He immediately discovered that practically in every claim some alteration had been made as reported in my 6/A/110 B of the 2nd instant. The alterations were stated by the Hejaz agent to result from a careful examination of the claims by himself and the tribal representatives of the Hejaz-Nejd. Representatives from one important tribe were, however, not present at the time and have not even yet arrived, so that it is probable their claims will require further emendation if and when they arrive. By the 14th September there was sufficient material ready to allow of the enquiry to be begun. At the opening meeting I explained that I was there merely to investigate, that the final word was with His Majesty's Government and that the functions of the Government agents and tribal representatives was to assist me to arrive at the facts rather than to fight their case before a judicial tribunal. I also encouraged them to settle what cases they could *à l'amiable*, having construed Jedda's telegram No. 228 of the 10th September, 1930, as conveying Ibn Saud's agreement to the principle of voluntary settlements.

The actual business of examining the cases began next day when the Shararat of Nejd claims against the Huweitat of Transjordan were started on. After spending some three hours on the first case, I adjourned the meeting and suggested that as both sides were probably aware of the facts they might get together and report to me in half an hour what they had agreed upon as being the facts. At the end of this interval the Transjordan people asked permission to go into the whole Shararat-Huweitat dossier of about fifty cases as they thought they could probably come to

an agreement on them all. I readily agreed to this and adjourned the sittings of enquiry for five days, at the end of which period the Transjordan agent reported to me that no progress had been made because the Hejaz agent was not prepared to contribute anything towards the settlement. The latter informed me he had no instructions, so this attempt to arrive at a settlement was dropped and the ordinary procedure of enquiry reverted to.

I am writing this from Jerusalem where I have not got my files, so cannot state the exact number of cases gone into so far, but progress has certainly been slow. The procedure is as follows: The claimant states his claim and is then asked by me for evidence in support. This is or should be produced, when there is any, by the sheikh of the tribe concerned, but in some cases the Nejd representative speaks for a tribe other than his own. The other side is then asked for its account of the affair and when both have had their say questions are put by them through me to each other. I question both sides when necessary and record all the proceedings in my own handwriting, necessarily a slow business. The Hejaz agent shows no backwardness in cross-examining the other side and offensive remarks and insinuations are not the monopoly of Transjordan.

On the whole the Nejd cases are badly got up and the agent himself appears not to have even gone to the pains of studying the material provided by his own Government in the form of reports by the Transjordan Government forwarded to the Hejaz Government by His Britannic Majesty's agent, Jedda. The Transjordan Government agent is equally inefficient, but this is to some extent counterbalanced by the more representative character of the Transjordan tribal spokesmen, who are actually the sheikhs of the tribes concerned, whereas in a number of cases the Nejd spokesmen are not and admit not having heard of the raid till they were informed of it by the Hejaz agent. Feeling is very bitter, the Nejd is not concealing their view that the Transjordan Arabs are practically infidels, while the other side looks on them as emissaries of King Ibn Saud rather than as spokesmen for their tribes. Each side has confided in me the absolute unreliability of the other and assumed that this was as patent to me as to them. I should say there was little to choose between them as regards veracity, though I do think that the facts are better known in Transjordan about raids into Hejaz-Nejd than they are by the Government of the latter country.

I am not now optimistic as to the results to be obtained even if the Hejaz Government were to abstain from impeding every effort I make to arrive at the facts partly because of the intolerant spirit of each side towards the other, and partly because the eyewitnesses and participants in raids have been excluded from the enquiry. The reasons for conducting the enquiry on the lines I have adopted were made clear by Sir A. Ryan at the time and I do not even now see what other method could have been adopted, but in the light of my experience so far, I am far from feeling that, even had the enquiry started under more auspicious conditions, very satisfactory results could ever have been expected.

I have, &c.

M. S. MacDONNELL.

[E 5573/1/91]

No. 72.

High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, October 15.)

(No. 482.)

(Telegraphic.) P.

Bagdad, October 14, 1930.

REFERENCE your telegram No. 386.

Discussion on alternatives (1) and (2) has taken place. The chief British representative, Amman, has reported by telegraph that Ibn Mashhur should not be permitted to travel by way of Transjordan, as the tribes are at feud with him. King Feisal states that, despite another attempt, he has been unable to persuade Ibn Mashhur to fly. He and the Prime Minister are strongly in favour of Ibn Mashhur travelling via Damascus and Haifa, and leaving Suez for Jedda on the 21st October.

The Iraq Government is undertaking full responsibility for the arrival of Ibn Mashhur at Jedda, and will send one of their own men with him. A French transit visa has been secured, and it is suggested that Ibn Mashhur should leave Bagdad on the 16th October.

This seems to be the only feasible solution if Ibn Mashhur's departure is not to be further delayed. King Feisal states that Ibn Saud is concerned only with Ibn Mashhur's early arrival in the Hejaz, and will not raise any objection to this route. I shall be glad if you will telegraph urgently whether you approve
(Repeated to Jedda.)

[E 5566/223/91]

No. 73.

Secretary of State for the Colonies to the High Commissioner for Transjordan.—(Received in Foreign Office, October 15.)

(No. 81.)

(Telegraphic.) P.

Colonial Office, October 14, 1930.

YOU will observe from Jedda telegrams Nos. 196 and 197 to Foreign Office that situation caused by two recent incidents in course of Mr. MacDonnell's investigation has become acute, and that, unless some means is found in the near future of giving at least partial satisfaction to Hejazi desiderata, there is real danger that Hejaz Government will withdraw their agent and that investigation will have to be abandoned. Such a development would not only have deplorable consequences upon Transjordan-Hejaz-Nejd relations, but would also involve His Majesty's Government and Transjordan authorities in greatly increased difficulties.

While we recognise, therefore, impossibility of meeting Hejaz Government's demands in full and appreciate efforts already made by Amir, it is important that negative attitude should not be adopted, and that any further concessions which may be practicable should be offered without delay. I would suggest, therefore, that you should endeavour to persuade Amir to write personal letter to Ibn Saud expressing regret for occurrence of these two incidents in his territory. This appears the more desirable as Amir has so far only expressed regret orally for first incident, and has himself taken no action in regard to second so far as we are aware.

Possibility of issue by Amir or Transjordan Government of some decree or proclamation (if constitutionally practicable) imposing severe penalties on any Transjordanian sheikhs guilty of similar conduct should also be urgently considered.

As regards punishment of Ibn Jazi and Ibn Zaal, while I recognise that the imposition in response to demand by foreign Government of spectacular penalty may be impracticable, you will doubtless consider possibility of urging either that fine should be imposed, or, failing this, that they should be removed during remainder of investigation from Amman.

Fact that Mr. MacDonnell has already discussed with Hejazi agent form of possible punishment (see your telegram No. 93) suggests that imposition of some kind of punishment may not be entirely impracticable.

You will, if breakdown of negotiations is to be avoided, appreciate that any measures you may be able to take should be taken at earliest possible moment, and that full information regarding them should be telegraphed to His Majesty's Chargé d'Affaires at Jedda.

(Repeated to Jedda.)

[E 5539/223/91]

No. 74.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(Nos. 172 and 173.)

(Telegraphic.)

Foreign Office, October 15, 1930.

YOUR telegrams Nos. 196 and 197 of 13th October: Transjordan-Hejaz-Nejd claims investigation.

Colonial Office telegram No. 81 of 14th October to Transjordan repeated to you will have shown you views of His Majesty's Government and action they are taking.

(R.) At end of afternoon sitting of 29th September sheikh mentioned gave childish and theatrical display of temper by refusing to give evidence from witnesses' chair just vacated by a Nejd who had accused his son, aged 12, of having led a raid. Mr. MacDonnell, knowing that Hejaz agent was still sore about first incident, severely reprimanded Transjordanian sheikhs in presence of Hejaz-Nejd agent before opening of morning sitting of 30th September. Ibn Zaal's demonstration was not directed against Hejaz-Nejd agent or his Government. (End of R.)

While Transjordan authorities will make every effort to facilitate liquidation of these incidents, it is not yet possible to say what action will prove practicable. If then matter is again raised by Hejazi authorities you must, apart from explaining facts as above, play for time until I inform you of later developments. I realise fully your difficult position.

Transjordan authorities have been asked to repeat all telegrams to you in future. (Addressed to Jedda, Nos. 172 and 173. Repeated to Transjordan.)

[E 5587/1/91]

No. 75.

Secretary of State for the Colonies to the High Commissioner for Iraq.—(Received in Foreign Office, October 16.)

(No. 393.)

(Telegraphic.) P.

Colonial Office, October 15, 1930.

YOUR telegram No. 482 of the 14th October.

In view of Hejaz telegram of the 11th September to Minister for Foreign Affairs, enclosed in your secret despatch, the 17th September, and of Jeddah telegram to you of the 14th September, No. 233, regret that, unless Ibn Saud has definitely stated that he has no objection, must strongly deprecate proposal to send Ibn Mashhur through Syria.

Risk of his escape in Syria very great, and result could not fail to have most serious consequences. Only course, since Transjordan route now considered impracticable, appears to be to renew efforts to get him to fly or travel by sea.

(Repeated to Jedda.)

[E 5663/223/91]

No. 76.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 19.)

(No. 200.)

(Telegraphic.) R.

Jedda, October 18, 1930.

MY telegram No. 196, last paragraph.

Owing to messenger's mistake I did not receive Acting Minister for Foreign Affairs' replies dated 13th October until last night. The one on incident is long and vigorous, the second on further course of investigation short and amiable.

The first states that Hejaz Government only agreed reluctantly to Transjordan as the scene of investigation and to procedure of joint-sittings, being well aware of danger of incidents. They agreed both in deference to His Majesty's Government's wishes as arbitrator and to assist Mr. MacDonnell. Had they imagined that British and Transjordanian Governments would overlook such irregularities they never would have agreed, but they trusted the honour of both Governments.

Expecting, therefore, most severe punishment for one who dared to insult Ibn Saud and his Government, they are the more hurt to receive from His Majesty's Government firm request to renounce satisfaction. Neither property nor money is at stake, but the honour of the Hejaz Government, who cannot consent to the offender going unpunished, a course which would run counter not only to Arab tradition but also the principles of diplomatic courtesy.

Although Transjordanian Government, with His Majesty's Government behind them, are of course free to let the offender go without public punishment if they so wish, Hejaz Government on their part cannot accept the insult in silence and insist on both requests (my telegram No. 186) being met.

The second asserts that the Hejaz Government heartily desire settlement of the past and will do all they can to assist friendly British Government to carry through arbitration and to place no difficulty in the way of investigator. Nevertheless they cannot allow their agent and tribal representatives to be exposed to insults on themselves and their Government in foreign country where they are assembled to consolidate good relations and liquidate the past differences.

In order to attain both objects they have instructed their agent to hold himself and representatives at Mr. MacDonnell's disposal and to afford him every assistance, but to refrain from attending joint sittings until Transjordanian Government offer the required reparation.

I have also received personal letter from Fuad trusting that I will realise that he and his Government have done all they can to comply with His Majesty's Government's wishes. As regards co-operation with MacDonnell for which I particularly asked, "the necessary instructions have been sent."

Translations by bag.

(Repeated to Jerusalem, No. 272.)

[E 5669/223/91]

No. 77.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 19.)

(No. 201.)

(Telegraphic.)

Jedda, October 19, 1930.

MY immediately preceding telegram.

First note lays itself open to criticism and reply, but further dialectics will only waste time in discovering the already patent truth that the Hejaz Government are committed to obtaining full satisfaction.

Second note is logical and shows strength of their position.

I am by no means convinced that they are out to wreck arbitration, although the possibility cannot be entirely discounted. If they are, then they are gambling, and circumstances have played so favourably into their hand that we must at once sacrifice something big enough to draw their trump. If they are not, then they are in earnest and we are morally bound to satisfy them, and we would surely be politically wise to do so handsomely without delay, seeing that time is precious to us and the harder the bargain we drive the more rancour it will leave with them. I can see no room for mixed motives on their part which would justify different tactics on ours.

Seen from this angle I submit that the problem is still further clarified by consideration that it is less impracticable for British authorities in Transjordan to bend Abdullah to comply fully with His Majesty's Government's views as tentatively expressed in Colonial Office telegram No. 81 than for British representative here to bend Ibn Saud to accept Abdullah's views even if endorsed by His Majesty's Government after reflection.

Further representations on my part to induce Hejaz Government to modify their demands or to accept any lower terms which it may be thought advisable to offer, can, I fear, only be made direct to King. I am not hopeful of favourable result. Even if eventually achieved, it could not fail to arouse feelings inimical to the success of future and much more important negotiations.

(Repeated to Jerusalem, No. 273.)

[E 5686/223/91]

No. 78.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 20.)

(No. 203.)

(Telegraphic.)

Jedda, October 20, 1930.

JERUSALEM telegram No. 102.

My views for what they are worth are as follows:—

(a) is a purely unilateral opinion not shared by other party to the insult; of the first part of (b) I hope to convince Hejaz Government without the necessity for further reference to you, but of the truth of the second part I am by no means convinced; as regards (c), I think that letter of regret unimplemented by exemplary punishment such as any Government would mete out to official who had openly insulted a friendly Government would no doubt be rejected. I do not debit Ibn Saud with a mentality which can only see weakness in courtesy unless the latter is obviously shown under pressure from His Majesty's Government, in which case His Majesty's Government would, I think, gain rather than suffer in his eyes. In order to give any verbal intimation to the King I should have to seek audience, which would entail his coming specially from Mecca. Mahomet might find mouse born of mountain ridiculously if not disgustingly small.

(Repeated to Jerusalem, No. 275.)

[E 5678/96/91]

No. 79.

Foreign Office to Chargé d'Affaires (Jedda).

(No. 179.)

(Telegraphic.)

Foreign Office, October 20, 1930.

FOLLOWING has been sent to Government of India:—

"Foreign and Political Department. Please see Jedda telegram No. 178 of 1st October to Foreign Office—copy by air mail of 3rd October—and Ryan's private letter to Ibn Saud of 28th August—copy by mail of 25th September under P. 6126.

"2. Ibn Saud's reply is reasonably satisfactory, though it is not clear that his prejudice is wholly removed. Subject to your observations, I am inclined to think negotiation between Biscoe and Hejazi delegation the best course, though risk that delegation may be unwilling or unable to commit Ibn Saud on controversial points and that negotiations may therefore prove abortive cannot be overlooked. If you concur, what are your views as to venue to be suggested?

"3. It seems clear that discussion of Ibn Saud's Persian Gulf desiderata is inevitable if meeting is to take place. Subject to your observations, we should therefore, when broaching question officially, agree to this, but again ask for further information as to their nature. It would also be made clear (without treating his letter to Ryan as an official statement) that the King's statement that no matters of importance relate to Kuwait is not understood and that Kuwait questions referred to in Ryan's private letter of 28th August must form integral part of any programme of discussions.

"I shall be grateful for very early reply."

[E 5720/89/91]

No. 80.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 180.)

(Telegraphic.)

Foreign Office, October 22, 1930.

MY despatch No. 360 of 2nd October: Transjordan-Nejd-Hejaz frontier.

Necessary sanction having now been obtained for proposed measures, you should communicate memorandum to Hejaz Government as soon as possible.

[E 5717/1/91]

No. 81.

High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, October 23.)

(No. 491.)

(Telegraphic.) P.

Bagdad, October 22, 1930.

I PERSUADED King Feisal on receipt of your telegram No. 393 to cancel the arrangements which had been completed for Ibn Mashhur's journey to Jedda. The King was much upset at what he termed "unnecessary interference of His Majesty's Government in a matter which concerned himself and Ibn Saud alone." He pointed out that—

1. Ibn Mashhur cannot be forced to return to Nejd against his will, but that he had just succeeded in persuading him to return voluntarily. Any delay would tend to make him suspicious and liable to change his mind.
2. He had pledged his honour that Ibn Mashhur would reach Jedda, and the latter's family and dependants, numbering fifty souls, were remaining in his hands as hostages.
3. Ibn Saud was not concerned with route except as regards place where Ibn Mashhur would be taken over. Moreover, Ibn Saud had written him in letter dated 20th Safar: "We left the matter to your Majesty's wisdom and we approve all you may do." It would be inconsistent with his dignity to correspond with Ibn Saud further on the matter.
4. He was confident, provided that the French did not interfere with him, of getting Ibn Mashhur safely through Syria. He asked for His Majesty's Government's assistance should there be any doubt on this point.

5. Ibn Mashhur had definitely refused in any circumstances to travel by air. Ibn Mashhur had strong superstitious objections that if he did so his reception by Ibn Saud would be similar to that accorded to Feisal Dawish. Ibn Mashhur also definitely refused to travel by Basra. Ibn Saud was himself unwilling that Ibn Mashhur should be sent direct to Nejd frontier. Only alternatives were two natural routes for a Bedouin by car via Damascus or Amman.

British officials whom I have consulted here agree that Amman route would be unsafe. They are unanimously of the opinion that, provided His Majesty's Government persuaded the French authorities not to interfere, little risk would be run by sending Ibn Mashhur through Syria on Feisal's guarantee, and, as he is already becoming suspicious, they consider that it would be dangerous to press Ibn Mashhur further.

I recommend that we should face whatever risk there may be of Ibn Mashhur escaping *en route*, and that the Foreign Office should settle direct with the French about safe passage through Syria. I should be glad to learn, if this view is acceptable, whether transit visa through Palestine may be granted. Route and dates would be: Leave Bagdad 27th October; Damascus Haifa 28th; Kantara, 29th; Suez, arrive, 29th October and leave 1st November, arrive Jedda 5th November. After this next boat for Jedda leaves Suez 11th November. Otherwise Ibn Mashhur will probably stay indefinitely in Iraq and responsibility for delay and expense and coincident Nejd-Iraq relations would be ascribed here, however unfairly, to His Majesty's Government.

I request reply by 25th October.

(Repeated to Jedda.)

[E 5818/223/91]

No. 82.

High Commissioner for Transjordan to the Secretary of State for the Colonies.—(Received in Foreign Office, October 26.)

(No. 112.)

(Telegraphic.) P.

October 25, 1930.

FOLLOWING addressed to Jedda:—

"I should be glad if you would inform His Majesty King Ibn Saud that His Highness Emir Abdullah desires me to cause to be communicated to His Majesty the expression of his sincere regret for any words uttered by the subjects of His Highness which may have been derogatory to the Government of Hejaz-Nejd or to its representative at the investigations which are being conducted by His Britannic Majesty's Government. His Highness has also taken guarantees from sheikhs concerned by binding them over to good behaviour during remainder of conference on the pain of heavy punishment."

[E 5819/1/91]

No. 83.

Secretary of State for the Colonies to the High Commissioner of Iraq.—(Received in Foreign Office, October 26.)

(No. 411.)

(Telegraphic.) P.

Colonial Office, October 25, 1930.

YOUR telegram of the 22nd October, No. 491: Ibn Mashhur.

His Majesty's consul-general, Beirut, reports that French authorities, while having nothing against Ibn Mashhur, cannot in any way make arrangements to prevent his escape in Syria, where he would be free to remain or leave as he saw fit. You will, moreover, realise that, if Ibn Mashhur escaped in Syria, His Majesty's Government would have no right to ask to have him expelled or handed over.

It should also, perhaps, be remembered that French authorities were very indignant at escape in Egypt of Dr. Shabandar on way from Iraq to Italy some years ago in closely similar circumstances.

Risk of escape is more serious, therefore, than when you telegraphed, and if journey were not completed situation *vis-à-vis* Ibn Saud would be exceedingly embarrassing.

If you consider, in spite of this danger, immediate departure via Syria least dangerous solution, I am prepared to agree to that course. Arrangements in that case must be made to afford adequate and reliable Iraqi escort for entire journey to Suez (see your telegram of the 14th October, No. 482), though it is clear from Beirut report that there will be no possibility of keeping Ibn Mashhur in actual custody while in Syria.

As regards Palestine, see my telegram of the 23rd October, No. 405. As regards Egypt, His Majesty's Minister in Cairo is prepared to arrange for escort of secret police. This escort I regard as essential, but expense must be met from Iraqi funds. Please arrange details direct with Cairo.

(Repeated to Jedda, Beirut and Cairo.)

[E 5790/223/91]

No. 84.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 26.)

(No. 208.)

(Telegraphic.)

Jedda, October 26, 1930.

TRANSJORDAN telegram No. 102.

In view of penultimate paragraph of your telegram No. 185, I should normally have transmitted Amir's message to Ibn Saud at once, but I fear that if sent unsupported by statement from His Majesty's Government it may well be regarded as insufficient, and Hejaz Government would thereupon still further commit themselves to insisting on publicity and punishment. Still more time and also some ground would thus be lost.

If this expression of regret and taking of guarantees from sheikhs for future behaviour are to be regarded as ultimate concession, refusal of which by Hejaz Government will effectively terminate arbitration, their only chance of acceptance lies in simultaneous categorical message to this effect from His Majesty's Government to the King. This might conveniently take the form of reply to his message of 19th October (and perhaps include His Majesty's Government's desiderata in regard to future investigation procedure).

In view of paragraph 3 of Ibn Saud's message, however, I am not sanguine of acceptance even then. Publicity and punishment are apt to be regarded in these countries as more vital to prestige than regrets and guarantees. Although we may lay all the blame for failure of arbitration on intransigence of the Hejaz Government, we shall be faced with deplorable *de facto* situation made even worse by Ibn Saud's moral sense of frustration and his political need of giving prominence amongst his tribes, and possibly also in the press, to purely Hejaz point of view, which cannot fail to be inimical to Transjordan and probably unflattering to us.

I much regret my own inability to prospect or prepare the ground in advance of any such *démarche* as I have suggested above unless you consider necessity for it so imperative that I request Acting Minister for Foreign Affairs to visit Jedda or myself seek an audience—at Bahra, for instance. My only normal means of communication at present are post office and a bad telephone.

Failing some previous intimation that Hejaz Government will be ready to accept satisfaction now offered, I consider danger of refusal (even in the face of categorical message from His Majesty's Government) and of resulting situation sufficiently great to weigh the balance between (a) further concession in the way of punishment and publicity and (b) presentation of regret and guarantees in the form of ultimatum—definitely in favour of (a).

(Repeated to Jerusalem, No. 27.)

[E 5732/561/91]

No. 85.

Mr. A. Henderson to Mr. Matsudaira.

Your Excellency,

Foreign Office, October 27, 1930.

WITH reference to your note of the 21st August, in which your Excellency was so good as to inform me that the Japanese Government were prepared to sign the proposed convention for the maintenance of certain lighthouses in the Red Sea, provided that the Governments of all the other Powers who were to be parties to the convention were also prepared to do so, I have the honour to inform you that the

text of the proposed convention, as concurred in by the Japanese Government, has now been accepted by all the Governments concerned.

2. I transmit to you the accompanying copies of the final text of the convention in the form in which His Majesty's Government propose that it shall be signed.* You will observe that this text differs in certain minor respects from that of the revise of the 1st May, 1930, copies of which are in your possession. The alterations and additions in question are indicated by underlining in red ink. It will be seen that they fall into the following three categories:—

- (a) In the preamble, certain verbal alterations in the English text, intended to bring it into closer harmony with the French, together with the addition of the usual formula regarding the communication of full powers.
- (b) In articles 2 and 15 and paragraph 1 of the annex, the substitution of the words "The United Kingdom of Great Britain and Northern Ireland" for the words "Great Britain," and the corresponding alteration of the King's title.
- (c) The filling up of certain blanks in articles 1, 2 and 4 of the agreement between the Board of Trade and the company, in order to bring the dates mentioned in the agreement into line with that of the entry into force of the convention.

3. In view of the fact that these amendments in no way alter the nature or scope of the convention, I am confident that they will not affect the Japanese Government's readiness to become parties to the convention.

4. Since His Majesty's Government in the United Kingdom consider it to be of great importance that the convention be brought into force without further delay, they propose that it shall be signed in London by the diplomatic representatives of the various Powers concerned, and by me on behalf of His Majesty's Government in the United Kingdom, at a date as early as possible in November. I trust that these arrangements will be agreeable to your Excellency, and that it will be possible for you to sign the convention at the desired date. Should the necessary full powers not arrive from Tokyo in time, a formal notification that they have been sent would, in accordance with the usual practice in this country, be sufficient.

5. His Majesty's representatives at Paris, Rome, Berlin and The Hague are being instructed to make a similar communication to the Governments to which they are respectively accredited, and to invite them to send the necessary instructions to their representatives in London as soon as possible.

I have, &c.

ARTHUR HENDERSON.

[E 5732/561/91]

No. 86.

Mr. A. Henderson to Lord Tyrrell (Paris).†

(No. 2213.)

My Lord,

Foreign Office, October 27, 1930.

WITH reference to my despatch No. 1879 of the 10th September, relative to the proposed convention for the maintenance of lighthouses in the Red Sea, I have to inform your Lordship that the text of the proposed convention, as finally concurred in by the French Government, has now been accepted by all the Governments concerned. There is, therefore, no further obstacle to its immediate signature.

2. I now enclose herein copies of the final text of the convention in the form in which His Majesty's Government in the United Kingdom propose that it should be signed.* You will observe that this text differs in certain minor respects from that of the revise of the 1st May, 1930, copies of which were forwarded to you under cover of my despatch No. 1147 of the 29th May. The alterations and additions contained in this final text are indicated by underlining in red ink. They fall, as you will see, into the following three categories:—

- (a) In the preamble, certain verbal alterations in the English text, intended to bring it into closer harmony with the French, together with the addition of the usual formula regarding the communication of full powers.

* Not printed.

† Also to His Majesty's representatives at Rome (No. 1165), Berlin (No. 1036) and The Hague (No. 478), *mutatis mutandis*.

- (b) In articles 2 and 15, and paragraph 1 of the annex, the substitution of the words "The United Kingdom of Great Britain and Northern Ireland" for the words "Great Britain," and the corresponding alteration of the King's title.
- (c) The filling up of certain blank spaces in articles 1, 2 and 4 of the agreement between the Board of Trade and the company in order to bring the dates mentioned in the agreement into line with that of the entry into force of the convention.

3. I request that your Lordship will communicate the enclosed final text to the French Government with an explanation as to the nature of the above verbal amendments. You should explain that these amendments in no way alter the nature or scope of the convention, and express the hope that the Government to which you are accredited will be prepared to accept them.

4. In view of the urgent necessity of bringing the convention into force without further delay, His Majesty's Government propose that the convention shall be signed in London by the diplomatic representatives of the various Powers concerned, and by me on behalf of His Majesty's Government in the United Kingdom, at a date as early as possible in November. You should invite the Government to which you are accredited to accept these arrangements, and, in the event of their doing so, to send the necessary instructions to their representative in London as soon as possible. Should their representative in London require full powers in order to sign the convention, you should request that these may be forwarded to him without delay. I shall be glad if you will inform me by telegram of the result of your representations.

5. Similar communications are being sent to His Majesty's Ambassadors at Rome and Berlin, and to His Majesty's Minister at The Hague, and I enclose a copy of a note which has been addressed to the Japanese Ambassador in London.*

I am, &c.

ARTHUR HENDERSON.

[E 5790/223/91]

No. 87.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 192.)

(Telegraphic.)

Foreign Office, October 28, 1930.

YOUR telegram No. 208 of 26th October: Transjordan-Hejaz-Nejd raids arbitration.

His Majesty's Government are not prepared to bring further pressure to bear on Transjordan authorities, but I am ready to accompany message from Amir by message from His Majesty's Government on lines you suggest.

You should accordingly convey to King Ibn Saud through Hejazi Government (a) message from Amir contained in Transjordan telegram No. 102 to you of 25th October; (b) message from His Majesty's Government in reply to His Majesty's message reported in your telegrams Nos. 204 and 205. You should express their sincere regret that incidents have occurred in British court of enquiry, and explain that they have taken all possible measures to ensure liquidation of incidents and prevent their repetition. You should add that in their opinion action which Transjordan Government have now taken is such as any Government might accept as affording honourable satisfaction. You should point out that neither of the offending sheikhs was a Transjordan official, that heated language on both sides is frequent characteristic in such cases and that investigator has refrained from taking up cases in which he might with justice have complained of attitude towards himself of Hejaz-Nejd representatives, in his earnest desire to bring enquiry to speedy and successful conclusion. All three Governments must share this desire, and time has now come, in opinion of His Majesty's Government, to make fresh start with enquiry and to close the door on the past without further discussion. His Majesty's Government rely on co-operation of King Ibn Saud and his Government, and trust that Hejazi Government will now undertake definitely that Hejaz-Nejd agent and tribal representatives will in future resume full participation in joint sittings of enquiry and raise no further objections to procedure laid down by Mr. MacDonnell.

* No. 85.

Main object is ultimate success of enquiry, and I abstain, therefore, from replying in detail to arguments advanced in Ibn Saud's message reported in your telegrams Nos. 204 and 205, which have since been met in great measure by memorandum in my despatch No. 360 of 2nd October. You may, if desirable, supplement above message by oral explanations based on material furnished by Mr. MacDonnell in recent telegrams, e.g., Transjordan telegram No. 106 to Colonial Office.

(Addressed to Jedda, No. 192. Repeated to Transjordan, No. 93.)

[E 5884/223/91]

No. 88.

Mr. Hope-Gill to Mr. A. Henderson.—(Received October 31.)

(No. 214.)

(Telegraphic.)

Jedda, October 30, 1930.

YOUR telegram No. 192.

Acting Minister for Foreign Affairs informs me that in spite of incomplete satisfaction, and in response to His Majesty's Government's wish to close the door without further discussion, Ibn Saud has decided to regard the matter as closed, and that instructions are being sent to Hejaz agent to place himself entirely at Mr. MacDonnell's disposal.

(Repeated to Jerusalem, No. 285.)

[E 5900/663/91]

No. 89.

High Commissioner, Transjordan, to the Secretary of State for the Colonies.—(Received in Foreign Office, October 31.)

(No. 121.)

(Telegraphic.)

October 30, 1930.

FOLLOWING addressed to Jedda:—

"Considerable raids from Nejd against Howeitat took place near Jebel Wadaat on 25th October and 26th October respectively. Details of looting and casualties will be communicated after the conclusion of investigation now proceeding. Please lodge protest and demand restitution."

[E 5884/223/91]

No. 90.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 198.)

(Telegraphic.) R.

Foreign Office, November 1, 1930.

YOUR telegram No. 214 of 30th October: Transjordan-Hejaz-Nejd raids arbitration.

You may, if you think it desirable, express to Ibn Saud appreciation of His Majesty's Government of the manner in which he has met their views. His Majesty's action will materially increase the prospects of a favourable issue to the enquiry, to which they realise he attaches no less importance than do His Majesty's Government and Transjordan Government.

(Repeated to Transjordan, No. 96.)

[E 5981/4309/91]

No. 91

Mr. Hope Gill to Mr. A. Henderson.—(Received November 4.)

(No. 287.)

Sir,

Jedda, October 18, 1930.

THE "Um-el-Qura" of the 3rd October published a summary of the Hejaz-Nejd Government's achievements during the past twelve months, which I think it may be useful to record briefly, if somewhat literally, as follows:—

I.—Foreign Relations.

1. The "establishment of political contact" with Germany, Poland, Persia and Afghanistan—i.e., the recognition of the Hejaz-Nejd Government.
2. The conclusion of treaties with Germany, Turkey and Persia.
3. The meeting of King Ibn Saud with King Feisal in the Persian Gulf, which laid the foundations of a settlement of past difficulties between this country and Iraq and opens up a hopeful view of the future.
4. The raising by foreign Powers of the rank of their representatives at Jedda to that of Minister.
5. The establishment of a Hejaz-Nejd Legation in London.

II.—Domestic Affairs.

1. Royal opening of the new Legislative Council.
2. Defeat of rebels, restoration of complete internal order and reorganisation of the police.
3. Reformation of Government departments and constitution of an inspectorate of departments.
4. Improvements of facilities for pilgrims and constitution of a pilgrimage committee.
5. Increase in the number of schools and of scholars sent to study in Egypt.
6. Establishment of a Government motor repair shop and of the "Kiswa" carpet factory at Mecca.
7. Importation by Government of well machinery, which has encouraged private individuals to follow suit.
8. Publication and free distribution of a work on agriculture, written by a prominent Medina landowner.
9. Reorganisation of the army and purchase of aeroplanes and new war material.
10. Organisation of a motor postal service, erection of new telephone lines, preparation of a scheme of wireless communication.
11. Ratification of agreements concluded at the London Postal Congress of 1929.
12. Construction of new reservoirs at Mecca and repair of existing system at Ain Zubaida, so that water for pilgrims is now plentiful.
13. Street widening at Muna, road repairs on the main pilgrim routes, and introduction by municipalities of motor sprinklers for the streets and of fire-engines.
14. Decision to establish up-to-date slaughter-houses.
15. Constitution of an improvements committee to study electric light, water and mineral development.
16. Introduction of modern hospital appliances of all kinds and despatch to Europe of two doctors to study X-rays and bacteriology.
17. Establishment of a hospital at Bahra and orders for more elsewhere, introduction of motor ambulances and printing and distribution of pamphlets containing medical advice in the different pilgrim languages.
18. Survey of the Medina-Al Ula, Medina-Wadi Sirhan and Mecca-Khuraiba roads.

This is not an imposing catalogue of national achievement, but an indication that the will to improve exists even though the means are still woefully lacking or misused.

I have, &c.

C. G. HOPE GILL.

[E 6151/1/91]

No. 92.

High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, November 14.)

(No. 541.)

(Telegraphic.) P.

Bagdad, November 12, 1930.

I SAW King Feisal on the receipt of Jerusalem telegram No. 137 (repeated to you as No. 315). He expressed himself as very angry and ashamed at the trick played on him by Ibn Mashhur. It was arranged, after discussion, as follows:—

1. Nuri will telegraph explaining the delay to Fuad Hamza.
2. King's Arab aide-de-camp is being sent to Damascus to explain to Nuri Shalan that unless he induces Ibn Mashhur to proceed to Jedda as arranged Feisal will regard him as his enemy.
3. Ibn Mashhur's relatives and dependents held in Iraq as hostages will be made over to Ibn Saud, and Feisal will make other amends acceptable to Ibn Saud if Ibn Mashhur breaks faith.

King Feisal stated that his honour was involved towards both Ibn Saud and His Majesty's Government, and he was confident that he would be successful in meeting his responsibility.

(Repeated to Jedda.)

[E 6135/1/91]

No. 93.

Mr. A. Henderson to Mr. Hope-Gill (Jedda).

(No. 203.)

(Telegraphic.)

Foreign Office, November 14, 1930.

BAGDAD telegram No. 541 to Colonial Office.

Following is paraphrase of Jerusalem telegram No. 137 to Bagdad:—

"Ibn Mashhur has not yet arrived in Palestine, but is reported to be consorting with Nuri Shaalan in Damascus. I shall inform you by telegram if and when he passes through Palestine *en route* for Egypt."

[E 6181/1/91]

No. 94.

Consul-General Satow to Mr. A. Henderson.—(Received November 15.)

(Unnumbered.)

(Telegraphic.) R.

Beirut, November 15, 1930.

FOLLOWING addressed to Bagdad:—

"Your telegram No. 56 S to me (No. 542 to Colonial Office).

"Acting Secretary-General to High Commission has written to me personal letter complaining that Ibn Mashhur, who has expressed definite desire to remain here, is being constantly urged by Iraq Government agents to go on to Nejd; latest emissary is a chamberlain of King of Iraq. Pressure which is being brought to bear in Syria by foreign agents on a Syrian national travelling with a passport issued by French Chargé d'Affaires, Bagdad, is misplaced, and likely to cause worst impression locally, especially amongst Bedouin. He prefers to bring matter unofficially to my notice before contemplating action to be taken if agents' activities continue."

[5382]

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[E 6214/663/91]

No. 95.

High Commissioner for Transjordan to the Secretary of State for the Colonies.—
(Received in Foreign Office, November 16.)

(No. 126.)
(Telegraphic.)

November 15, 1930.

FOLLOWING addressed to Jedda, No. 111:—

"In continuation of my telegram of 30th October, No. 107, the situation in regard to two raids is still somewhat obscure, because the raiders carried off shepherds who have not yet been found. About 100 men took part in each of the two raids. Both took place on 26th October, and not 25th October and 26th October, as previously reported, and it is certain that loot amounted to not less than 500 camels.

"British Resident now reports that a further raid took place on 30th October near Shweiki, west of Jebel Tubaik, when 200 camels were taken from the Darawsha of Howeitat. This raid was not heard of till 3rd November because the shepherds were carried off by the raiders, who were fifty Nejdians, and were released after two days in Jebel Tubaik.

"Please lodge protest and demand restitution."

[E 6231/223/91]

No. 96.

Mr. Hope-Gill to Mr. A. Henderson.—(Received November 19.)

(No. 298.)

HIS Majesty's Chargé d'Affaires at Jedda presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit to him copy of a note to the Hejaz Acting Minister for Foreign Affairs, dated the 21st October, respecting a resolution as to the period to be covered by the MacDonnell enquiry.

Jedda, October 21, 1930.

Enclosure in No. 96.

Mr. Hope-Gill to the Acting Minister for Foreign Affairs.

Your Excellency,
(After Compliments.)

Jedda, October 21, 1930.

I AM instructed to inform your Excellency that my Government, having considered the question of procedure in relation to claims for raids made (1) before the 1st August, and (2) since that date, have sought and obtained the agreement of the Transjordan Government to the following resolution: That the present arbitral enquiry shall be regarded as covering all raids made before the 1st August, 1930, and that no claims shall hereafter be submitted in respect of such raids.

I have the honour to invite the Hejaz Government similarly to agree to this resolution, the object of which is to set a definite term to the period covered by the arbitration.

With highest respects,
C. G. HOPE-GILL.

[E 6237/223/91]

No. 97.

Mr. Hope-Gill to Mr. A. Henderson.—(Received November 19.)

(No. 311.)

HIS Majesty's Chargé d'Affaires at Jedda presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit to him translation of a note from the Hejaz Acting Minister for Foreign Affairs, dated the 27th October, respecting the procedure as regards claims arising from raids.

Jedda, October 29, 1930.

Enclosure in No. 97.

Hejaz Acting Minister for Foreign Affairs to Mr. Hope-Gill.

(Translation.)

Taif, October 27, 1930.

WITH reference to your note of 21st October (29.8.1349) relating to the question of the procedure of dealing with claims arising from raids before the 1st August and with claims arising from raids after that date, I have the honour to inform you that His Majesty's Government agree to the following decision:—

"The present arbitral enquiry shall be regarded as covering all raids made before the 1st August, 1930, and no claims shall hereafter be submitted in respect of such raids."

With highest respects,
FUAD HAMZA.

[E 6326/1/91]

No. 98.

Consul-General Satow to Mr. A. Henderson.—(Received November 22.)

(No. 16.)

(Telegraphic.)

Beirut, November 22, 1930.

YOUR telegram No. 19.

I had already, on receipt of Bagdad telegram No. 376, made representations without result. I saw Acting Secretary-General again this morning with special reference to Bagdad telegram No. 568 to Colonial Office about alleged abduction by French police. His Majesty's consul, Damascus, reports that he had been informed by King's emissary that Captain Deleuze of Bedouin control took Ibn Mashhur away from Ruwalla camp at Adra to Damascus, where he subsequently disappeared. I am asking him if possible to obtain independent confirmation of this. Secretary-General said that he saw nothing unusual in Captain Deleuze's giving man whom he knew a lift to Damascus in his car. In any case, according to him Ibn Mashhur, on reaching Damascus, had definitely made up his mind to remain there. This, in the circumstances, seems not improbable. I would recall, with reference to Bagdad telegram No. 568, that French undertaking was that man, on entering Syria, would be free to remain or leave as he saw fit.

(Repeated to Bagdad, Jerusalem and Jedda.)

[E 6325/1/91]

No. 99.

High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, November 24.)

(No. 568.)

(Telegraphic.) P.

Bagdad, November 22, 1930.

MY telegram No. 541.

Before leaving for Cyprus King Feisal informed me that his aide-de-camp had returned from Damascus and reported that the French police had abducted Ibn Mashhur in his presence, and had refused to reveal his whereabouts. Aide-de-camp could, therefore, do nothing further. King Feisal requests that Ibn Saud be informed through His Majesty's Minister at Jedda that he is filled with distress and shame at this occurrence and that he is prepared forthwith to surrender to Ibn Saud Ibn Mashhur's family and followers now in Iraq. He is writing personal letter of apology to Ibn Saud, but desires that Ibn Saud should be assured in the meantime of his good intentions and of the sincerity of his friendship.

The report of the French interference to which Beirut telegram No. 33 of 15th instant lends colour should, I suggest, if possible be verified, as it appears inconsistent with the French undertaking that Ibn Mashhur would be free to leave Syria (*vide* your No. 411 of 25th October).

(Repeated to Beirut and Jedda.)

[E 6382/4522/91]

No. 100.

Mr. Hope-Gill to Mr. A. Henderson.—(Received November 26.)

(No. 231.)

(Telegraphic.)

Jedda, November 25, 1930.

A COMMUNIQUE has been published by the Hejazi Government explaining that in May last Ibn Saud, wishing to assist the Idrisi's province, which had been placed under his protection by the terms of the Treaty of Mecca of 1926, despatched a Royal Commission to Asir to examine and report on its administration in consultation with the Idrisi and his legislative council. In letters exchanged between the Idrisi and Ibn Saud as a result, which are also published, the former agrees with pleasure to "entrust to your Majesty the finance and administration of our country," and charge is piously assumed by the latter. Details of administration are being worked out at Mecca, where the Idrisi delegation now is. Hamad Ash-Shuwair has replaced Ibn Saud's representative at Sabia with the title of Amir of Asir.

Thus article 6 of Agreement of Mecca is virtually abrogated, though not specifically. It is thought likely that this change, following on recent announcement by Imam, which is reported to have appeared in Yemen press, that Ibn Saud could not be so foolish as to occupy Asir, will drive Imam to take action. Troops are reported to be on the move from Taif southward. I suppose such movement is precautionary, or possibly defensive. Resident at Aden has, however, no information of activity on part of Yemen.

(Repeated to Aden.)

[E 6748/4587/91]

No. 101.

Mr. Hope-Gill to Mr. A. Henderson.—(Received December 15.)

(No. 334.)

HIS Majesty's Chargé d'Affaires at Jedda presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs and has the honour to transmit to him copy of a note from the Acting Minister for Foreign Affairs, Mecca, enclosing copy of the Treaty of Friendship concluded between the Governments of Hejaz-Nejd and the German Reich.

Jedda, November 18, 1930.

Enclosure 1 in No. 101.

Memorandum.

(Translation.)

THE Acting Minister for Foreign Affairs has the honour to send his respects to you and to enclose herewith a copy of the Treaty of Friendship concluded between His Majesty's Government and the Government of the German Reich, which was ratified on Thursday, the 6th November, 1930, at Cairo.

(Sealed)

Ministry for Foreign Affairs.

Mecca, November 13, 1930.

Enclosure 2 in No. 101.

Treaty of Friendship between the Kingdom of Hejaz and of Nejd and its Dependencies and the German Reich.

(Published in the "Um-al-Qura" of November 7, 1930.)

(Translation.)

IN the name of God the most merciful, the compassionate.

Praise be to God alone and prayer and peace be upon the last Prophet.

We, Abdul Aziz-bin-Abdurrahman-al-Faisal-al-Saud, King of the Hejaz and of Nejd and its Dependencies;

A Treaty of Friendship for the establishment of friendly relations between our countries having been concluded between us and his Excellency, the President of

the German Reich, and signed by two plenipotentiaries on our behalf and one plenipotentiary on behalf of his Excellency; all being fully and mutually authorised at Cairo on the 16th day of Dhul Qa'da in the year 1347, corresponding to the 26th day of April, 1929.

It is as follows:—

Treaty of Friendship between the Kingdom of Hejaz and of Nejd and its Dependencies and the German Reich.

His Majesty King of the Hejaz and of Nejd and its Dependencies and his Excellency the President of the German Reich, desirous of establishing and strengthening friendly relations between the two countries and believing that the establishment of relations between them will serve the growth of the two nations and aid their prosperity, have decided to conclude a Treaty of Friendship, and for this purpose Sheikh Hafez Wahaba, His Majesty's counsellor, and Sheikh Fawzan-as-Saleq, His Majesty's agent in Egypt, on behalf of His Majesty the King of the Hejaz and of Nejd and its Dependencies, and Herr von Schturr, Minister Plenipotentiary and Envoy Extraordinary of the German Reich to Egypt, on behalf of the President of the German Reich, have been appointed as their authorised representatives.

Having produced their credentials and proved their validity, they agreed upon the following articles:—

ARTICLE 1.

An untouchable peace and sincere permanent friendship will prevail between the Kingdom of the Hejaz, Nejd and its Dependencies and the German Reich.

ARTICLE 2.

The two contracting parties, intending to establish diplomatic and consular relations between them in due course, have agreed, each for its parts, that the political and consular representatives of both should enjoy in the territories of the other country the treatment laid down by the principles of general international law, provided such treatment be mutual.

ARTICLE 3.

The subjects of both the contracting parties shall be accepted in the territories of the other country in accordance with the principles of general international law and in conformity with its known necessities and shall enjoy there, as far as their persons and property are concerned, the same treatment as is enjoyed by the subjects of the most favoured nation. The ships and their cargoes of both countries shall be treated in all respects in the ports of the other country with the same treatment as is enjoyed by the ships and their cargoes of the most favoured nation.

ARTICLE 4.

The products and the manufactures of both countries which enter the territories of the other country for consumption, reshipment or transit shall be treated with the same treatment as is enjoyed by the products and manufactures of the same kind of the most favoured nation.

ARTICLE 5.

This treaty is drawn up in two original copies, Arabic and German, the two texts having equal value. The treaty shall be ratified and ratifications exchanged at Cairo as soon as possible, and it shall be considered effective as soon as ratifications have been exchanged.

In confirmation of the above the authorised representatives of both parties have signed and sealed this treaty.

Cairo, the 16th Dhul Qa'da, 1347 (26th April, 1929).

HAFEZ WAHABA.
FAWZAN-AS-SALEQ.
VON SCHTURR.

After reading the above treaty and carefully considering it, we have ratified, accepted and confirmed it collectively in its whole and separately in every article and paragraph. We confirm and ratify it and undertake and give a Royal and true promise that, by the might of God, we will carry out and observe with full honesty and sincerity what is written therein, and that we will never, God willing, allow any infraction to occur to it in any way so long as we are able to do so.

For further confirmation of the validity of all that is written therein, we have ordered our seal to be affixed to this document and we have signed it with our hand. God is the best witness.

Written on the 1st day of Muharram-al-Haram in the year 1348, corresponding to the 7th day of June, 1919.

(Royal signature.)

PROTOCOL.

Exchange of Ratifications of the Treaty of Friendship concluded between His Majesty King of the Hejaz and of Nejd and its Dependencies and His Excellency the President of the German Reich.

The undersigned have assembled for the exchange of ratification of the Treaty of Friendship concluded between His Majesty King of the Hejaz and of Nejd and its Dependencies and the President of the German Reich and signed at Cairo on the 16th day of Dhul Qa'da in the year 1347 of the Hijra (corresponding to the 26th April, 1929). After the copies of the protocol of ratification of the above treaty had been carefully checked and found, each one of them, to be a true copy of the other, the exchange was effected this day in the usual manner.

In confirmation whereof this protocol is signed.

Written at Cairo on the 15th Jamad-ath-Thani, 1349 (6th November, 1930).

(Representative of the Hejaz-Nejd Government.)

(Representative of the German Government.)

[E 6618/96/91]

No. 102.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 219.)

(Telegraphic.)

Foreign Office, December 22, 1930.

MY telegram No. 179 of 20th October: Proposed discussion of Koweit and Persian Gulf questions between Ibn Saud and Colonel Biscoe.

We do not know result of action which Hejaz-Nejd Minister promised, at your dinner party on 30th October, to take about visit of Resident to Ibn Saud during His Majesty's short visit to Nejd.

Government of India and Resident agree that visit should be primarily one of courtesy, and that Sheikh of Koweit should therefore not accompany Biscoe. As King's visit is likely to be short, arrangements for meeting must be made soon if at all. I leave to your discretion any action to secure invitation by King to Resident.

Correspondence with Government of India (copies went to you by bag of 11th December) shows that Resident welcomes courtesy visit as providing favourable opportunity of reaching understanding with Ibn Saud over Koweit affairs. We recollect your warning against rushing Ibn Saud into discussion of Koweit affairs under cover of courtesy visit, and Resident will be reminded of this if visit eventuates.

We incline to Resident's view that there would be no objection to Colonel Dickson accompanying him as member of his staff in circumstances now envisaged, but I await your observations on this point.

(Repeated to Government of India, No. 47, and Bushire (by Colonial Office), No. 95.)

[E 6871/1308/91]

No. 103.

High Commissioner for Iraq to the Secretary of State for the Colonies.—(Received in Foreign Office, December 23.)

(No. 609.)

(Telegraphic.)

Bagdad, December 18, 1930.

JEDDA telegram No. 237 to Foreign Office.

I have discussed with Prime Minister, who expressed his readiness to proceed to Jedda himself with object of signing "Bon-Voisinage" Agreement and negotiating an extradition agreement on clear understanding that Hejaz-Nejd Government will agree to sign "Bon-Voisinage" Agreement first and not make signature dependent upon extradition agreement negotiations. He would also bring with him personal messages from King of Iraq on the subject of Ibn Mashhur in amplification of a personal letter which King of Iraq wrote on 14th December to King Ibn Saud, and would also be prepared to discuss general questions of claims. He feels that these questions can be much more satisfactorily dealt with by personal negotiation, which he is now free to undertake. Do His Majesty's Government see any objection to proposal? If not, I will suggest that he should telegraph direct to Minister for Foreign Affairs, Jedda, in this sense.

(Repeated to Jedda.)

[E 6900/96/91]

No. 104.

Sir A. Ryan to Mr. A. Henderson.—(Received December 23.)

(No. 245.)

(Telegraphic.)

Jedda, December 23, 1930.

YOUR telegram No. 219.

Hejaz Minister did not tell me before I left London what, if anything, had passed between him and the King. I cannot enquire here, in view of his hostility to Fuad and inaccessibility of Ibn Saud himself. It might be worth while to ask Minister informally how the King reacted to report which he promised to send you, but I do not think it specially important to do so.

I think best course will be for me to write personal letter to Fuad referring to his personal letter to me of 7th October, since when there have been no developments at this end; to say that Biscoe is anxious to pay his respects to the King during his visit to Nejd; and to ask whether it would be convenient to His Majesty to receive him at Riyadh or any place between there and Persian Gulf. I should emphasise courtesy character of proposed visit, letting Fuad understand that proposal arises out of his own suggestion to me that I should take some further action to placate Ibn Saud.

I see no objection to Dickson accompanying Biscoe, and would propose to mention in my letter to Fuad probability of his doing so. I would suggest not enlarging party further except, of course, by addition of necessary servants, &c. It is desirable to avoid any appearance of a delegation. In my opinion, extent to which business can be discussed must depend entirely on Ibn Saud's attitude if and when visit actually takes place. He will almost certainly touch on pending questions himself, but I see no prospect of his settling any of them. Best hope is that, if King agrees to proposal, visit will restore completely friendly personal relations and enable us to judge better how to approach stage of formal negotiations on Persian Gulf questions. Biscoe may find it possible to agree on list of matters to be discussed, which, I think, will have to include not only those relative to Koweit but also Bahrein questions, especially in view of recent exchange of somewhat acrimonious letters between Ibn Saud and Sheikh of Bahrein.

I am preparing letter to Fuad, but should like to be assured of your approval before sending it. It should go as soon as possible, as King is unlikely to spend more than three to four weeks in Nejd.

(Repeated to India, No. 310, and Bushire, No. 311.)

[E 6900/96/91]

No. 105.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 223.)

(Telegraphic.) R.

Foreign Office, December 27, 1930.

YOUR telegram No. 245 of the 23rd December: Proposed visit of Resident in Persian Gulf to King Ibn Saud.

His Majesty's Government approve your proposals. Should any observations by Government of India or Resident be repeated to you, you should, so far as possible, reconcile your action with them, but you should not postpone action unless essential.

(Repeated to Government of India, No. 48, and Bushire (by Colonial Office), No. 96.)

[E 6941/2229/91]

No. 106.

Mr. Hope-Gill to Mr. A. Henderson.—(Received December 30.)

(No. 362.)

Sir,

Jedda, December 10, 1930.

I HAVE the honour to report that Ibn Saud paid a private visit to Jedda on the 6th December and returned to Mecca to-day. There were no official functions of any kind.

2. His Majesty received me on the 7th December, when half an hour was passed in friendly conversation. Only generalities were discussed, and no specific reference was made by His Majesty to current questions. He more than once mentioned, however, the value which he placed on the friendship of His Majesty's Government and his desire for the closest co-operation.

3. Ibn Saud intends to leave very shortly for Riyadh and to return to Mecca by the beginning of Ramadan, which falls on the 20th January. His Acting Minister for Foreign Affairs will remain here for a few days longer.

I have, &c.

C. G. HOPE-GILL.

[E 6943/4522/91]

No. 107.

Mr. Hope-Gill to Mr. A. Henderson.—(Received December 30.)

(No. 364.)

HIS Majesty's Chargé d'Affaires at Jedda presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit herewith, with reference to his telegram No. 231 of the 25th November, translation of a note, dated the 15th November, from the Acting Minister for Foreign Affairs at Mecca on the subject of the administration of Asir.

2. A copy of this despatch has been sent to the Resident at Aden.

Jedda, December 10, 1930.

Enclosure 1 in No. 107.

Acting Minister for Foreign Affairs to Mr. Hope-Gill.

Ministry for Foreign Affairs,

Mecca, November 15, 1930.

(Translation.)

I HAVE the honour to forward to you herewith for your perusal a copy of the Green Book issued concerning the administration of the Idrisi Province.

With highest respects,

FUAD HAMZA.

Enclosure 2 in No. 107.

(Translation.)

IDRISI PROVINCE.

Official Green Book.

(Published in the "Um-al-Qura" of 23 Jumadi-ath-Thani, 1349.)

Sealed: Ministry for Foreign Affairs,
Mecca.

Government of the Hejaz and of Nejd
and its Dependencies.

Official Communiqué from the Press Department.

HIS Majesty's attention was directed, after the completion of the last pilgrimage season, towards the introduction of many improvements in the internal affairs of His Majesty's dominions. One of the things to which His Majesty has given his high attention is the Idrisi Province, which, in accordance with the treaty concluded at Mecca on the 22nd September, 1926, is under His Majesty's protection. His Majesty, may God preserve him, desired to help it for its welfare and the prosperity of its people. So he issued his gracious orders for a special Royal Commission, composed of Fadh-bin-Zair, Mohammed-al-Hejazi, Saleh the Doctor and Ahmad-bin-Hleil, to be sent to the Idrisi Province to discuss and consider jointly with the Legislative Council there such affairs as would lead to the reformation of the country and its subjects. The commission actually left about the beginning of Muharram this year (the 28th May, 1930) and began its work with the authorities there under the supervision of As Sayyid Al Hasan. The commission worked for more than four months, after which they forwarded to His Majesty a detailed report in which they fully explained the situation in the Idrisi Province. After he had studied the report, His Majesty found it better to send another commission to consult As Sayyid Al-Hasan-al-Idrisi, his Government and his Legislative Council on matters necessary for the administration of the State and the introduction of improvements. The second commission left about two months ago under the presidency of Hamad-al-Abdali, and co-opted the members of the first commission as well as the Legislative Council in the Idrisi Province. After careful consideration and discussion an agreement was arrived at as to the ways and means to be followed for the administration of the country.

On the 9th October, 1930, the following telegram from As Sayyid Al-Hasan-al-Idrisi was received by His Majesty the King:—

"Your letters by the hand of Al Abdali have arrived. We have discussed them with your deputation, and it has been decided with our consent and agreement to entrust the administration and finance of our country to your Majesty's charge. We desire thus to inform you.

17th Jamad-al-Awal 1349.

"AL HASAN-BIN-ALI-AL-IDRISI."

His Majesty sent the following telegram in reply:—

"As Sayyid Hasan-al-Idrisi, Jizan. Your brother has taken note of your confidence in God, and in him, and of your reliance upon him. This is the hope expected from you and your brotherhood. You will only see from us, by the grace and might of God, that which pleases you. As to us, be sure before God that we will, please God, do in your country only that which improves your affairs, and the following three results will flow: First, your comfort, tranquillity and the preservation of your administration to yourself; secondly, the comfort of your subjects; and thirdly, the protection of your honour and the honour of your Province against all aggression.—ABDUL AZIZ."

As Sayyid Al-Hasan and his Legislative Council then decided to send a special deputation of the Hejaz to present to His Majesty the decisions agreed upon, together with two letters from As Sayyid Al-Hasan-al-Idrisi and the Legislative Council.

The letters are as follows:—

"Praise be to God alone.

"From Al Hasan-bin-Ali-al-Idrisi to His Majesty the King of the Hejaz, Nejd and its Dependencies, Abdul Aziz-bin-Abdurrahman-al-Faisal-al-Saud.

"Peace, mercy and blessings of God be upon you.

"I thank God, who is the only God, and I pray for His last Prophet, his relatives and his friends.

"I enquire about your prosperity, good health and tranquillity. I pray God the Almighty that you may be always kept well. If you ask about your affectionate friend, I am, by the grace of God, as well as you wish. There is nothing but good health and prosperity. I have received your Majesty's esteemed favour of the 15th September, 1930, which I have read, thanking you for your kindness and courtesy, may you ever live in happiness and prosperity.

"Your kind letters sent by the hand of the brother, Sheikh Hamad-al-Abdali, have been received and their contents noted. I thank your Majesty for the advice you have given to my country and for the care you have shown towards our interests and the organisation of our affairs, in a way that will maintain our honour and comfort.

"In compliance with your suggestions and friendly advice, with which I agree, I sent round for your Majesty's deputation, and discussed with them the matters you referred to, of which the principal ones are the administration and the adjustment of the finances of the country. The decision agreed upon is the one communicated to your Majesty in the letter of my council. So there is nothing left undone on my part or on that of my people regarding the measures which have to be undertaken towards the country and its improvement and concerning consultation with your Majesty. I pray God may grant success to all.

"I wish to draw your Majesty's attention to the fact that I, on my part, have proved my friendship and connexion with your Majesty, and I believe that I have increased your Majesty's inconvenience, that is to say, I have laid upon your Majesty's shoulders my task and my hopes for the protection of my honour and the comfort of my country, trusting that your Majesty's endeavour for me in this connexion is better and more hopeful (than mine own). I am therefore confident that your Majesty will act in this respect as you would do for the interests you cherish most, and by this means I would attain the end that I desire and expect.

"In truth your Majesty will realise that our connexion is not of recent date, and it is full only of the faithfulness and the noble character registered in the white pages of your Majesty's prestige.

"I swear by God, the only God, that I am keeping faithful and loyal to your Majesty outwardly and inwardly. I have never thought of anything contrary to friendship. Anything attributed to me contrary to friendship and courtesy is false and groundless. Here I am registering in history an obvious proof of the truth of what I have said by entrusting the protection of my country, my subjects, my comfort and my honour to the charge of your Majesty's honour, and by making your Majesty responsible for all of this. I am quite sure of your noble and pure character and honour. I await your reply to reassure me as to that which I expect, namely, the maintenance of my rights and my honour, and the regard of my private people and relatives and the appreciation of their connexion with and services to me, your Majesty will then be entitled to whatever facilities the aim and helps the realisation of the desired end. Notwithstanding that I am sure of all this, nevertheless, as Al Khalil (Abraham) said, I want my heart reassured. God is the best witness to what we say."

The letter of the Legislative Council:—

"His Majesty the King of the Hejaz, Nejd and its Dependencies, Abdul Aziz-bin-Abdurrahman-al-Faisal-al-Saud. May God help him!

"Peace, mercy and blessings of God be upon you.

"After enquiries about your health and comfort, we hope, please God, that you, your noble sons, and all your friends, are quite well, enjoying the best of health and complete happiness every year. If you ask about your servants, we are, by the grace of God the Almighty and your kindness, as well as you may wish; there is nothing but prosperity and good health. We have the honour to acknowledge receipt of your noble letter of the 15th September, 1930, which we gladly read out from, and from which we were delighted to learn of your safety and good health, may you ever live in happiness and prosperity. As regards the discussion with your Majesty's delegation concerning the things necessary for the improvement and organisation of our country, we have immediately conversed with these friends in the presence of the Imam As Sayyid Al Hasan and agreed upon the decision forwarded to you herewith. The Imam telegraphed at once to you accordingly. The friends, your Majesty's delegation, will certainly inform you of this fact. All other of the country's affairs are explained in the letter of the Imam addressed to your Majesty.

"Hoping that you are in the best of health and happiness, please God, may you live long protected, our Master.

"LEGISLATIVE COUNCIL, SABIA.

"October 10, 1930."

Copy of the Decision of the Council.

In the name of God the Most Merciful, the Compassionate. This decision is made by our order and approval on the same date.

(Sealed)

AL HASAN-BIN-ALI-BIN-MOHAMMED-BIN-IDRISI.

On the 9th October, 1930, we held a meeting with the friends, the delegation of His Majesty King Abdul Aziz-bin-Abdurrahman-al-Faisal-al-Saud, may God protect him, and conversed in the presence of the Imam As Sayyid Al-Hasan-al-Idrisi, may God preserve him, about the steps that should be taken for the improvement of the country of the Idrisi Government and the organisation of its finances and the putting of everything there in order. After consultation on this subject, and the presentation of the views of both parties, we agreed together with the delegation in question to entrust the administration of the said country and the organisation of its finance to His Majesty our Master, the King of the Hejaz-Nejd, and made this decision by our will and accord as a service to the said question and an advice to the leaders (imams). God is the best help. Written at Sabia.

Members of the Legislative Council at Sabia:—

MUHAMMED-AL-AMIN-ASH-SHAUQITI.
MUHAMMED YAHYA AWADH BASAHI
ABDUL QADER-BIN-MUHAMMED-BIN-
AWADH BASAHI.
HAMUD-BIN-ABDULLAH-AL-HAZMI.
YAHYA IBRAHIM ZAKI.

The delegation arrived at Mecca on Wednesday, the 13th October, 1930. The members are:—

As Sayyid Muhammed-al-Arabi-al-Idrisi,
As Sayyid Mustafa-as-Sufaihi,
Qadhi Muhammed-bin-Ibrahim Mabjar,
Sheikh Muhammed Abdullah Basahi,
As Sayyid Hasan-bin-Zafer, and
Sheikh Makki-bin-Yahya Zaki.

Some questions are being discussed now between the delegation and the authorities of His Majesty's Government concerned regarding certain details of administration and finance and their application.

[E 6944/4522/91]

No. 108.

Mr. Hope-Gill to Mr. A. Henderson.—(Received December 30.)

(No. 365.)

HIS Majesty's Chargé d'Affaires at Jedda presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit herewith, with reference to his despatch No. 364 of the 10th December, translation of a further note, dated the 27th November, from the Acting Minister for Foreign Affairs at Mecca on the subject of the administration of Asir.

2. A copy of this despatch has been sent to the Resident at Aden.

Jedda, December 15, 1930.

Enclosure 1 in No. 108.

Acting Minister for Foreign Affairs to Mr. Hope-Gill.

*Ministry for Foreign Affairs,
Mecca, November 27, 1930.*

(Translation.)

I HAVE the honour to forward to you herewith a copy of the second part of the Green Book concerning the administration of the Idrisi Province, to complete your information.

With highest respects,
FUAD HAMZA.

Enclosure 2 in No. 108.

(Translation.)

IDRISI PROVINCE, PART II.

Official Green Book.

In the Name of God the Most Merciful, the Compassionate.

THE IDRISI PROVINCE.

WE, Abdul Aziz-bin-Abdurrahman-al-Faisal-al-Saud, after perusing the treaty concluded between us and As Sayyid Al-Hasan-al-Idrisi on the 22nd September, 1926, and after perusing the decision of the Idrisi Legislative Council approved by As Sayyid Al Hasan on the 9th October, 1930, and after perusing the report made under the presidency of our Son and Viceroy Faisal by the representatives of our Government and representatives of As Sayyid Al-Hasan-al-Idrisi, have issued our order as follows:—

ARTICLE 1.

We have approved the arrangement defined in the report signed by the representatives of our Government and those of As Sayyid Al-Hasan-al-Idrisi on the 25th Jamad-ath-Thani, 1349 (16th November, 1930), and attached to this order and we have issued our order for it to be confirmed and carried into effect.

ARTICLE 2.

A Legislative Council for the Idrisi Province shall be constituted and its members elected by the competent authorities in the province.

ARTICLE 3.

The Legislative Council of the Idrisi Province shall be composed of five members, who must be of the natives of the country and honest and upright.

ARTICLE 4.

The Legislative Council shall be presided over by a representative of the Amir, and the decisions of the council shall not have effect unless they are approved by As Sayyid Al-Hasan-al-Idrisi.

ARTICLE 5.

The chiefs of the tribes shall be invited to participate with the competent authorities in the election of the members of the Legislative Council, from the villagers (*i.e.*, not Bedouin) of the province and those elected shall be villagers.

ARTICLE 6.

The duties of the Legislative Council are the consideration of the interests of the country and such affairs as will bring moral and material benefits and will lead to securing peace in the interior, to improving commerce, cultivation and education, provided that this will not cause confusion to the interests of the neighbouring countries.

ARTICLE 7.

The Amir shall consider the interests of the country, the security of the roads, and arrest aggressors and those who are fond of causing disturbance, whether they be citizens or Bedouin.

ARTICLE 8.

All judgments, punishments and restrictions shall be applied by the Sharia Law.

ARTICLE 9.

The Legislative Council shall have nothing to do with diplomatic or foreign affairs.

ARTICLE 10.

The council shall have no right to object to any action which the Amir takes to enforce the regulations in vigour in the Hejaz and Nejd in respect of Bedouin affairs and without which peace cannot be secured.

ARTICLE 11.

The council is entitled, if it notices any infraction by the Amir or the Director of Finance of the legal regulations, to submit the matter to us or to our Viceroy in the Hejaz under two conditions:—

- (1) That it shall be signed by As Sayyid himself.
- (2) That the criticism must be true and relating to actual facts.

ARTICLE 12.

Our Viceroy shall put our order into force.

Issued on the 20th November, 1930.

(Royal Seal.)

Report.

In view of the provisions of the Treaty of Mecca, concluded on the 22nd September, 1926, between His Majesty the King of the Hejaz and of Nejd and its Dependencies on the one side, and As Sayyid Al-Hasan-al-Idrisi on the other, by which Saudian protection was extended to the Idrisi Province, and, in view of the fact that As Sayyid Al-Hasan-al-Idrisi and his Legislative Council have abdicated the administration of all affairs to His Majesty the King of the Hejaz and of Nejd and its Dependencies, according to an official decision issued by the Idrisi Council and approved by As Sayyid Al Hasan on the 9th October, 1930, and in view of the fact that His Majesty the King of the Hejaz and of Nejd and its

Dependencies has accepted this abdication, and that His Majesty took upon himself the administration of all affairs, besides the rights and the privileges to which His Majesty is entitled in the Idrisi Province according to the afore-mentioned Treaty of Mecca.

The following have assembled under the presidency of His Royal Highness the Amir Faisal, His Majesty's Viceroy on behalf of His Majesty's Government:—

Abdullah-al-Fadhl,
Fuad Hamza,
Yusuf Yasin, and
Abdullah-as-Suleiman-al-Hamdan,

and the following on behalf of As Sayyid Al-Hasan-al-Idrisi:—

As Sayyid Al-Arabi-al-Idrisi,
Sheikh Mustafa-an-Nuaimi,
Qadhi Mohammed Ibrahim Mabjar,
Makki-bin-Yahya Zakari,
Mohammed-bin-Abdullah Ba Sahi, and
As Sayyid Hasan-bin-Zafer,

to lay down the rules of administration to be followed in the Idrisi Province. The following articles have been agreed upon:—

ARTICLE 1.

As Sayyid Al-Hasan-al-Idrisi shall remain as head of the Idrisi Government, and all orders are to be issued in his name on behalf of His Majesty the King in that province.

ARTICLE 2.

His Majesty the King will appoint an Amir for the administration of affairs in the Idrisi Province and for the supervision of internal improvements, the security of peace and order, and to give effect to the Sharia Laws there, in accordance with the principle mentioned in the first article.

ARTICLE 3.

There shall be a Legislative Council for the province to assist the Amir, and its duties shall be to give the necessary advice to the Amir in everything concerning the administration of the country.

ARTICLE 4.

His Majesty the King shall appoint a Director of Finance, and his duty shall be to organise the collection of Government taxes and to make arrangements for the expenditure of such money to the general good in accordance with the approved budget.

ARTICLE 5.

All civil and military officials, whether appointed direct by His Majesty the King or by the local Governors and Amirs, shall pay due regard to the position of As Sayyid Al-Hasan-al-Idrisi in the country, and protect his prestige and honour and those of his family in all respects.

ARTICLE 6.

All decisions of the Legislative Council shall be submitted to As Sayyid Al-Hasan for his endorsement and approval. They shall have no value unless they bear his endorsement and approval, and, in case of dispute between the council and As Sayyid, the matter shall be referred to His Majesty for solution.

ARTICLE 7.

Detailed instructions will be given as to how the Legislative Council is to be constituted, its members appointed, and its work done.

Those present have unanimously signed this report this day, the 16th November, 1930.

FAISAL.

ABDULLAH-AL-FADHL.
FUAD HAMZA.
YUSUF YASIN.
ABDULLAH-AS-SULEIMAN-AL-HAMDAN.
MOHAMMED-AL-ARABI-AL-IDRISI.
MUSTAFA-AN-NUAIMI.
MOHAMMED IBRAHIM MABJAR.
MAKKI-BIN-YAHYA ZAKARI.
MOHAMMED-BIN-ABDULLAH BA SAHI.
HASAN-BIN-ZAFER.

[E 6871/1308/91]

No. 109.

Mr. A. Henderson to Sir A. Ryan (Jedda).

(No. 225.)

(Telegraphic.) R.

Foreign Office, December 30, 1930.

BAGDAD telegram No. 609 of 18th December to Colonial Office, repeated to you No. 413: Proposed visit of Iraqi Prime Minister to Jedda.

Please telegraph observations.

It is not yet known what line Iraqi Government propose to adopt regarding extradition and claims.

CHAPTER II.—SYRIA.

[E 3782/231/89]

No. 110.

Consul Hole to Mr. A. Henderson.—(Received July 15.)

(No. 35.)

Sir,

Damascus, June 17, 1930.

WITH reference to my despatch No. 30 of the 27th May, regarding the promulgation of the Syrian Constitution, I have the honour to report that the 11th June, the anniversary of the first session of the dissolved Constituent Assembly, was selected by Nationalist headquarters as the appropriate occasion for manifesting their dissatisfaction with the changes in the Constitution, the manner of its promulgation and, above all, the 116th article, which virtually reduces it to a dead letter.

2. A strike was called and a meeting convened at the house of Fakhri Baroudi. The strike was by far the most successful that I have seen in Damascus; almost every shop was closed throughout the city, even in the Salhiya quarter, which has taken on a certain bastard European character during the last few years and rarely concerns itself with manifestations. Large but well behaved assemblies occupied the principal thoroughfares, and there was a general move towards the quarter in which Fakhri Baroudi resides.

3. The new Minister of Interior, Jemil-el-Elshi, who has just exchanged portfolios with Toufik Shamieh, with the object of rigging the elections, was curiously inept in his handling of the situation. A cordon was drawn round Fakhri Beg's house, and the police or gendarmerie invited disorder by throwing stones at the crowds, an invitation that was readily accepted. Eventually a few shots had to be fired in the air, and the fire brigade brought their hoses into action.

4. The meeting was removed to Jemil Mardam Beg's house, near the Résidence, and speeches were made among general acclamation; some schoolboys also held an impromptu meeting outside the Résidence itself. M. Bruère gave orders that they should not be interfered with, and no further incidents took place.

5. This strike is the latest of a series which have been organised in protest against octroi and other municipal taxes, which have been largely increased. French official circles have affirmed that its purpose was the same, and that the Syrians are delighted with the Constitution; this is exactly contrary to the facts.

6. I am sending copies of this despatch direct to His Majesty's High Commissioners at Bagdad and Jerusalem, the British Resident at Amman, His Majesty's consul-general at Beirut, and His Majesty's consul at Aleppo.

I have, &c.

E. C. HOLE.

[E 4062/2242/89]

No. 111.

Acting Consul Meade to Mr. A. Henderson.—(Received July 29.)

(No. 56. Confidential.)

Sir,

Aleppo, July 12, 1930.

WITH reference to your telegram No. 3 of the 22nd May, I have the honour to transmit the enclosed memorandum regarding a journey to Mosul of seven days' duration, which I undertook after having previously ascertained that no inconvenience would be caused thereby either to His Majesty's High Commissioner for Iraq or to the administrative inspector of Mosul Liwa. I was accompanied by Mr. Dallal, the consular clerk, whose presence was very helpful to me.

2. The purpose of this journey was to study the Aleppo-Mosul trade routes, which are certainly growing in importance, as is witnessed by the increasing number of visas granted for Iraq, especially in transit to Persia. I also desired to discuss various outstanding questions with the police and customs authorities and with the administrative inspector at Mosul, and to become acquainted with the conditions prevailing in the eastern portion of this consular district.

3. For the sake of convenience, I have thought advisable to divide the report into the following headings: Route, towns visited and general observations.

4. It is very much regretted that, owing to pressure of work, this report has not been despatched at an earlier date.

5. Copies of this despatch and enclosure are being sent to the Comptroller-General, Department of Overseas Trade, His Majesty's High Commissioner, Bagdad, His Majesty's Ambassador, Istanbul, to the Acting British consul-general, Beirut, His Majesty's consul, Damascus, and to the British liaison officer, Beirut.

I have, &c.

GEOFFREY MEADE.

Enclosure in No. 111.

*Memorandum respecting a Journey to Mosul by Acting Consul Meade.**Aleppo-Mosul Route.*

THE route taken lay via Deir-ez-Zor, Souar, Fadjhami, Ain-Ghazal and Tell Afar. This is the original caravan track, as it offers water facilities, and is still followed by shepherds and flocks coming from Iraq to Alexandretta. The only serious obstacle is the Euphrates at Deir-ez-Zor, where an hour must be allowed for crossing, including delays, by means of a very primitive ferry. No crossing is possible between sunset and sunrise. At Souar the Khabour is crossed by a good suspension bridge. The worst wadi crossings in Iraq are receiving the attention of the Public Works Department, but this section of the track is still very bad, and, I am told, practically impassable after heavy rains.

On leaving Aleppo the new road is followed, which for 40 miles offers a perfect surface. Beyond that, however, save for a short stretch near Meskene, along the banks of the Euphrates and for a distance of some 30 miles from Tibni to Deir-ez-Zor, where there is a metalled surface, only a desert track exists, which often resembles a switchback course. I am informed that the river is never crossed at Rakka even in winter, when a higher desert track can be followed. The time taken to cover approximately 340 kilom. was ten hours, including a luncheon interval, but the construction of the main road is being actively carried forward, and on its completion, according to official statement, at the end of 1931, but more probably in two or three years' time, the duration of the journey will be reduced by two or three hours. Meanwhile, the curves of the road are unsuitable to heavy lorry traffic, and it is perhaps worthy of mention that in the course of the 1,000 miles covered during the tour only two lorries passed. The Compagnie autoroutière are nevertheless running their big cars on this stretch (*vide* my despatch No. 53 of the 14th June, 1930), and it will be interesting to see if the experiment is a success. Stone seemed fairly abundant over most of the stretch, and near Deir-ez-Zor inferior quality marble is being used on the road.

From Deir-ez-Zor about ten hours are required to travel to Mosul, a distance of approximately 375 kilom. Once the Euphrates is crossed a good desert track leads to Souar, where a fertile strip marks the course of the Khabour, which is followed until Fadjhami. The portion of desert which is crossed between this latter place and El Bidea, the Iraqi frontier post, needs no track, as a car may proceed in almost any direction at full speed. Gazelle, jackals, and many varieties of birds alone haunt this desolate region, but after the Iraqi post, wild flowers and, later, cultivated land appear. At Ain-Ghazal there is a good rest-house, where food and sleeping accommodation may be obtained, and after this the track, alternatively smooth and bumpy, leads amid cultivated land past Tell Afar into the fertile region of Mosul.

On leaving Mosul for Kameshlié, the Tell Afar track is followed for some 20 miles until it branches towards Uglat, where there is also a rest-house, less commendable, however, than that at Ain-Ghazal. The worst bits of the track have been patched up, but must present considerable difficulty after rain. At Tell Rumeilan a bridge has been repaired or built by the French Public Works Department, and after this the track, when dry, presents a smooth surface, as, in view of the French military occupation of the Duck's Bill, much work has been undertaken thereon. After rain, however, this is probably the worst stretch between Mosul and Kameshlié, and cars may very easily get bogged, while attempts to metal it have proved fruitless. Between Uglat and Demirkapou old remains of lorries mark the German retreat, and broken iron poles of Bollers' (Limited), London, mark the old embankment of the Bagdad Bahn.

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H 3

Between Kameshlié and Deir-ez-Zor the desert track is generally good, and passes through Kurdish Bedu or Armenian settlements. The land appears arid, but it is good soil, and the exodus of the Christians from Turkey and also Kurds will no doubt greatly improve its fertility.

For merchandise to Mosul, the Deir-ez-Zor-Ain-Ghazal route is always employed, as it is the only suitable organised one at the present moment. It is possible, however, that it will be soon cheaper to send goods by rail to Nissibin and thence by road to Mosul. Members of the Mosul Chamber of Commerce whom I saw expressed the hope that a customs post would be established on the Mosul-Nissibin-Aleppo route, as they considered that the import of goods from Europe via Alexandretta, instead of Basra, as at present, would cause a saving of about 11 per cent. This route would also, they thought, be adopted for the export of wool, skins and gall nuts, as even if this route were no cheaper than Basra, a very considerable economy in time would be effected. I informed them that a Customs Conference was to be held at Aleppo in the course of the following week (*vide* my despatch No. 47 of the 7th June, 1930). But, although this route has been officially recognised for transit trade since the 1st April, there are as yet no facilities either of transport or customs beyond Nissibin save for passengers, and even for them no prices are quoted for Mosul, but only for Nissibin and Kirkuk.

The alternative route via Jerablus, mentioned in Mr. Monck-Mason's despatch, may be left out of account. The track, although actually shorter, is bad in many parts and impracticable in winter, but, more important than this, the way is definitely unsafe on certain sections where it follows the Turkish frontier. Absolute security, on the other hand, may be said to reign on the other route, and the stretch between Aleppo and Deir-ez-Zor is frequently covered at night to avoid the heat of the day.

General Remarks.

The best months for undertaking this journey are April and October, to avoid the likelihood of rains or excessive heat. From a touristic point of view little of interest is offered, and the most picturesque part of the journey is undoubtedly between Mosul and Kameshlié, when mountain ranges are always in sight. A driver with a knowledge of the road is still advisable but no longer essential, as the French are erecting sign-posts on the well-beaten desert tracks. For night driving, which is by far the most pleasant time in hot weather, a guide is indispensable.

I would add that, judging from the route covered, the French appear to be concentrating greater efforts on the upkeep of roads and tracks than is the case with the Iraqi authorities. This is no doubt due to the great French preoccupation of establishing security, best assured by rapidity of transport and consequent facility of patrolling, and in this respect General Callais deserves unstinted praise.

Towns Visited.

Deir-ez-Zor.

Although the only town of any importance in the sanjak which bears its name, and in spite of its position on the Aleppo-Mosul trade route, Deir-ez-Zor does not appear to be a prosperous town. Rents are very low, and there are no modern buildings save a school and a hospital, which are nearing completion. There is no electricity or water system. It is the local seat of government under General Callais, who is both *délegué-adjoint* and in command of the troops in that district. He is assisted by Commandant Tringa, a retired officer who was liaison officer in Aleppo under the British occupation, with the title of "Conseiller administratif," and an effaced *mutessarif*.

I was unfortunately unable to see General Callais, as my visit coincided with his absence in the northern part of his district, where he was accompanying the High Commissioner on a tour of inspection. I visited, however, his chief of staff, and also called on the officers of the "Service des Renseignements."

One of the most important branches of administration is perhaps the customs, as all goods passing between the northern parts of Syria and Iraq have to be examined at this town. The director is generally considered as a hard, disagreeable and tactless man, who openly flouts General Callais, but who is nevertheless amenable to bribery. Shortly before my arrival his methods of refusing to recognise as Syrian any goods coming from the east which were not certified by officers of the "Service

des Renseignements" and the refusal of these officers to give such a certificate had all but resulted in a boycott of the town. General Callais found himself powerless to arrange the dispute, which was only partially settled after a personal visit to Beirut.

Health is said to be improving, but there are many mosquitoes this year, and a recent order has forbidden officers' wives to live there.

Mosul.

During my two days' stay in Mosul I called on the administrative inspector, the *mutessarif*, the director of customs, the chief of police, the special service officer, the French consul and the R.A.F. mess. In the course of these meetings various outstanding affairs between Mosul and Deir-ez-Zor were discussed, and also questions of passport and customs facilities. The *mutessarif* arranged a meeting for me with the chief members of the Mosul Chamber of Commerce, who had many complaints to put forward. In the first place, they were very indignant against the continued prohibition of the import of Iraqi cattle into Syria in transit for Egypt, which, they stated, meant a loss for Mosul of approximately £100,000 a year, as the Deir-ez-Zor-Alexandretta route was the only suitable one. I subsequently ascertained from the French consul that this attitude was due to the absence of a British veterinary surgeon, as the French, considering that a Syrian certificate would be unreliable, attached the same low value to an Iraqi certificate. Another complaint was the question of sheep marking, which, according to information received from M. Lavastre, *délegué-adjoint* in Aleppo, I was able to tell them was within sight of a favourable solution. The same was hoped of the question of transit dues on sheep, for which the same tariff was desired as that prevailing for Turkish sheep, but both these matters were dependent on negotiations between Bagdad and Beirut, which, it was expected, would be held in the near future.

Demirkapou.

Demirkapou had taken on a temporary importance in view of the imminent occupation of the Duck's Bill, and round it several thousand men were encamped. It is probable that, with the security offered by the proximity of troops and the influx of Kurdish immigrants from Turkey, settlements and cultivation will increase considerably in this district. Indeed, the whole region between Demirkapou and Kameshlié seems already well cultivated and fairly populous, the inhabitants being Kurds of a very fine physique and also Kurdish-speaking Armenians who work for them.

Kameshlié.

The expansion of Kameshlié continues rapidly, and apart from an ice factory it boasts, unlike Deir-ez-Zor, a cinema and electric light plant. The drain from Nissibin continues, the latter town being entirely dependent on Kameshlié for its supplies. The French exercise no frontier control, unlike the Turks, who have a small guard in the ravine between the two towns, and, curiously enough, a few yards within Syrian territory. Economic dependence forces the Turks to be on good terms with the French, although thefts of sheep, goats and horses are frequently committed, chiefly, I am informed, by the Turkish soldiery, who can hardly supplement their insufficient food rations with their miserable pay of 6*d.* a month. The specimens I saw in Nissibin itself were indeed very wretched. In spite of the extradition arrangement with Turkey, it has been found practically impossible to recover stolen goods, save when a counter-theft has occurred, when stolen goods are bartered for stolen goods.

While Kameshlié still consists mainly of mud huts, inhabited chiefly by Kurds and Kurdish-speaking Armenians, Government buildings have been put up, a school has just been completed, and it is intended to build an infirmary and a hotel, although, in my opinion, the latter will be of somewhat doubtful use when the railway terminus is extended beyond Nissibin. This settlement has been laid out on a modern symmetrical pattern, possible future streets have already been traced out on which it is forbidden to build, and competent authorities are at present dealing with 270 demands for sites. Rents, which stood at 50 per cent. two years ago, have now fallen, but still stand at about 30 per cent.

The River Jaja has a plentiful water supply all the year round, and irrigation would make the surrounding plain very fertile. This has, however, been practically prohibited, pending a proper regulation, owing to danger of malaria. The place, although it enjoys a certain elevation, is exceedingly unhealthy. Soldiers and officers' clothes are prescribed by the medical officer, and the taking of quinine is compulsory. A variety of unpleasant insects, including poisonous centipedes and tarantulas, abounds, and the place is infested with fleas.

The French consul at Mosul had told me that he had heard that the sandjak of Deir-ez-Zor might possibly be divided into two sections, and a military délégué-adjoint, possibly General Callais, would be appointed at Kameshlié. The intelligence officer at Mosul had also heard this rumour, but I have not been able to verify whether or not there is any truth in it.

Nissibin.

Nissibin, which I visited in company with an "officier de renseignement," is still an attractive little town with trees and an abundance of water, but economically it is absolutely dead, and the inhabitants for the most part spend their time sitting idly in front of their practically bare stalls. The French may well regret that Nissibin was not left in Syrian territory to form the nucleus of what is now Kameshlié, a fact that the officers to whom I spoke definitely attributed to the ignorance of their diplomatists, who were deluded into believing that Nissibin lay to the north of the railway line, where, indeed, it is marked on certain maps.

Mahmakié.

From Nissibin we went to Mahmakié, the present Syrian terminus of the Bozanti-Alep-Nissibin and Prolongements Railway. The works of the prolongation of the line are under the superintendence of a French engineer lieutenant, who, with thirty-six soldiers, forms the permanent nucleus of the labourers, who are for the most part Turkish Kurds. I proceeded a few miles down the old track of the Bagdad Bahn, and saw the new track which is being laid alongside, but in a straighter line than the German one. There is as yet very little ballast, as the finding of stone presents certain difficulties. It is hoped that by next autumn the extension to Tell Ziwan, 11 kilom. from Mahmakié, will be completed, but difficulties are anticipated from the Turkish authorities, who even now are extremely unwilling to allow anything but military equipment to proceed as far as Mahmakié.

From Kameshlié it had been my intention to return to Aleppo following the frontier as far as Jerablus. This, however, I found to be impossible, as a turbulent tribe inside the Turkish border rendered the region between Ras-el-Ain and Tell Abiad unsafe, and, owing to the concentration of forces in the north-east corner, no armoured cars were available for patrolling this district. On various occasions when incursions of this tribe had been reported aeroplanes had been sent to fire at them and drop bombs. On one occasion, however, a French airman had been wounded by fire from the tribesmen, and this somewhat rough and ready measure had now been discontinued. In the circumstances, therefore, I proceeded southwards to Hassetché.

Hassetché.

Hassetché has not developed greatly in the course of the last year or two, but many Armenians have been settled in the neighbourhood. These, according to the "officier de renseignements," have given a fair amount of trouble, as it is difficult to keep them strictly behind the 50-kilom. line from the frontier. The intelligence officer also hinted that his work was often hampered by vexatious instructions from Deir-ez-Zor. The track between Hassetché and Deir-ez-Zor is entirely desert. We only passed three cars, and two of these were stranded for lack of water.

General Observations.

Passport and Customs Control.

One of the unpleasant recollections left by the journey to Mosul is the complexity of passport and customs formalities, which compare very unfavourably with those prevailing on the Palestine route.

Passports are examined and endorsed in no fewer than nine places, and this entails considerable delay, particularly at Ain-Ghazal and Ughlat, while the customs formalities are even more numerous. I believe that in view of my official position certain facilities were granted to me, but these formalities must be very irksome to the ordinary traveller, especially when aggravated by the extreme inefficiency of the passport clerks.

One of the difficulties which the authorities have to contend with is the large number of shepherds who cross the Iraq-Syrian frontier without papers. This is comparatively easy, and is, in my opinion, encouraged by the endless formalities necessary to be "in order."

Security.

This is one of the main objectives of the French Administration, and in this it may be said that they have admirably succeeded, with the inevitable exception of the Turkish frontier. Apart from the French army, security is maintained by the Meharistes (Camel Corps), by the "Gardes Mobiles" and a Syrian gendarmerie. The officers of this latter body are Syrian with a French commandant. Aeroplanes frequently fly over the district, where many emergency landing grounds exist, but machines are only kept at Deir-ez-Zor and Hassetché.

Refugees.

Under this heading there is but little to add to my previous remarks throughout the report. Refugees are mainly Kurds, but there continues to be an influx of Armenians, of whom it is estimated that there are some 20,000 yet remaining in Turkey, excluding Istanbul. Armenians, like everybody else in Syria, are suffering from the commercial crisis, and are not satisfied with the attempts to remove them from towns to create country settlements, where they often have difficulties with the military.

The Armenian archbishop in Aleppo states that he has most encouraging reports on Bolshevik Armenia, and he foresees a movement in that direction, especially if Moslem influence increases in Syria at the expense of the French. This information, however, is in complete contradiction with what was recently told me by Mrs. Rosita Forbes, who affirmed that the Bolshevik was so far from beneficial to Armenians that she had herself been present when over a hundred refugees crossed the Russo-Persian frontier under Bolshevik machine-gun fire, and she had subsequently heard many tales of persecution from the fourteen survivors.

Meanwhile, it is certain that Northern Syria can absorb many more settlers than it has at present, as long as they are content merely to exist.

Administration.

On passing from Syria to Iraq a remarkable contrast is noticeable in the methods of administration. In Deir-ez-Zor the French soldier rules supreme, and the mutessarif is detailed to spend whole days at a time on the banks of the Euphrates watching the destruction of the locusts, and is a very different person indeed from the same official in Mosul.

The soldiers, only following the example of their superiors, are most arrogant with the natives, who are beaten about for no reason and called liars—a grave insult to the Bedu. Apart from these browbeating methods, a pinprick policy is often adopted, such as the hustling by a nigger sentry of passers by who, commit the grave offence of attempting to walk on the pavement in front of the general's residence. More vexatious than this is an attempt, which I am informed is being made by the French, to force all inhabitants of the Jeziret, whether nomadic or sedentary, to take out identity certificates, and it would appear that the combination of these measures and constant difficulties with the Deir-ez-Zor customs are causing considerable discontent among the surrounding tribes.

I fully concur with the view expressed by Mr. Monck-Mason regarding the remarkable increase in prosperity in the Northern Jeziret, but I feel that, through lack of tact, the French are not reaping all the gratitude that they might expect. Indeed, I do not think that as a general rule the French are sending their best, or even their second best, men to Syria, which they only consider of use as having a certain bargaining value on the international market.

In conclusion, I would add that I was received very hospitably throughout my journey, and I would endorse Mr. Monck-Mason's statement that distrust of the British no longer exists, save, perhaps, in the minds of a certain military element, with whom, however, there is not so much a suspicion of spying as a dislike of the foreigner viewing their methods at close quarters.

[E 4609/231/89]

No. 112.

Acting Consul Meade to Mr. A. Henderson.—(Received August 27.)

(No. 58.)

Sir,

Aleppo, July 24, 1930.

I HAVE the honour to inform you that notices in Arabic, purporting to emanate from a regional committee of the Syrian Socialist party, were posted up in Aleppo in the early afternoon of the 7th instant, and were removed shortly afterwards by the police.

2. This notice, of which I enclose a translation, is chiefly devoted to an attack on the French, who are accused of sacrificing all Syrian interests, of destroying property, and of causing misery and unemployment. The Constitution is also denounced in no unmeasured language, as are also all influential and prosperous Syrians, while even the Nationalists are reproved for betraying their country. The word "Communist" is not mentioned, but Russia is called the saviour of the oppressed, and the League of Fighters in Berlin is also held up as working in the good cause.

3. I am informed that similar notices were posted up on the same day in Damascus, Beirut, Tripoli, Lattaquié and Alexandretta, and other places where a few weeks previously the Syrian Constitution had been declared. I am also informed on good authority that, although these proceedings denote a certain organisation, the Public Security Department have not yet been able to trace those responsible; certain arrests, however, have been made.

4. According to one rumour, this outburst is attributed to the extreme Nationalists, while in official circles the opinion prevails that an Armenian organisation, working in conjunction with Russian Armenians, is responsible. In this connexion it is perhaps worth noting that it is believed by a large section of Syrian Armenians, including their archbishop in Aleppo, that the Bolsheviks are well disposed towards them.

5. It would appear that there are at least three Armenian Nationalist organisations, each madder than the other, who are always prepared to take part in any scheme. The idea, for instance, of helping the Kurdish revolt is one which appeals to them, with the ultimate object of making a triumphal march through Turkey to Erivan.

6. In the present instance it is considered possible that the extreme Syrian Nationalist group have inveigled an Armenian organisation into helping in this affair. If this is the case, the action of the former would probably be dictated by a desire to shift responsibility on to other shoulders, or by the dislike which exists between Syrian and Armenian. I would add that if Armenians are indeed involved their action cannot be condemned too strongly, as their lot would indeed be miserable should they lose the protection of the French.

7. I am sending copies of this despatch to His Majesty's High Commissioners at Bagdad and Jerusalem, to the acting British consul-general at Beirut, and to His Majesty's consul at Damascus.

I have, &c.

GEOFFREY MEADE.

Enclosure in No. 112.

Proclamation of the Syrian Socialist Organ.

(Translation.)

To the Workers, Peasants, Artisans and Syrian Free Thinkers:—

THE French colonisers have proclaimed the Constitution of Syria, in spite of the Syrians, and have divided Syria into several small States. They have bound the nation with fetters, and the working people are ground down and sacrificed to the French capitalists' ambitions. Their fortune will increase, while we and our families will have to suffer from unemployment, misery and hunger.

O workmen and peasants! Since years you are fighting for the independence of your country, while the lives of hundreds of you have been sacrificed by the colonisers, who have demolished Damascus on the heads of the little children, women and old people. They have burnt the villages, razed the houses, hanged hundreds of the workmen and peasants, and shot many of you. Can you allow all these sacrifices to be in vain? Will you consent to be the slaves of the colonisers who are exploiting you and stealing your rights?

We categorically repudiate the Constitution proclaimed in the Syrian country, and do hereby notify all those who would accept it, either directly or indirectly, that they will be considered the enemies of Syrian unity and of its independence.

Workmen and peasants, you have been several times deceived; you must in consequence put an end to this treachery. The chiefs among the Nationalists have betrayed the rebellion and started negotiations with the colonisers, who had promised an amnesty. But they did not comply with their promises, and, in consequence, hundreds of our rebel brethren are left behind in the desert, exposed to every suffering and misery.

The colonisers had also promised to the people freedom in promulgating their own Constitutional Law. This has meant that the rich and the influential have made use of this opportunity to issue a Constitution for their friends composed of 115 articles, of which not one safeguards the rights of the peasants and prevents the exploitation of the workmen.

The profits we gained by the rebellion have all been lost by the policy of compromise of the Nationalists.

The real supporters of the independence of Syria are ourselves, the workmen and peasants, and we accept among us all people devoted to the cause of complete independence.

O labouring people of Syria! We are not the only tools against colonisation, for there are hundreds of millions of oppressed peoples in India, Indo-China and elsewhere, who are fighting against it. In the Arabic countries, in Palestine, Egypt and Iraq, our brethren are breaking free from the yoke of colonisation. There are also several millions of workmen and peasants who have rebelled against it and are supporting our plans. Bolshevik Russia, the saviour of oppressed peoples, is doing all in her power to crush the forces of colonisation and to deliver the weak from oppression; Russia itself is with us in our struggle against colonisation, and we are also supported by the League of the Fighters in Berlin, who are giving us every help.

O peasants and workmen! The Syrian Socialist party ask you—

(a) To repudiate categorically the Constitution promulgated in Syria.

(b) To denounce the leaders of the Nationalists as traitors.

(c) To organise a conference of the people of all Syria in order to elect free members who may work in accordance with the real wishes of the populations.

Down with the policy of compromise, with the oppressors and colonisers!

Down with the exploitation of the people!

Long live the Government of the workmen and peasants!

Long live complete independence and Syrian unity!

Long live a conference of the Arab countries against colonisation!

Long live the League of Fighters against Colonisation!

Long live the Socialist International party!

Long live the Syrian Socialist party!

The Regional Committee of the Syrian Socialist party, branch of the International Socialist party.

Sefer 5, 1349 (July 1, 1930).

[E 5017/1542/89]

No. 113.

Acting Consul Meade to Mr. A. Henderson.—(Received September 17.)

(No. 65. Confidential.)

Sir,

Aleppo, August 27, 1930.

WITH reference to Mr. Monck-Mason's confidential despatch No. 22 of the 13th February, 1930, I have the honour to forward the following views regarding the sanjak of Alexandretta, based on my own impressions and also on a report which I have received from Mr. Catoni, British vice-consul at Alexandretta, according to which it appears that a certain unrest exists among the commercial and other leading elements of the population as to the policy followed by the mandatory Power in that sanjak.

2. The policy, indeed, is negative, and it is held that, while France is concentrating all her efforts on the development of other parts of Syria, and more particularly the Lebanon, a bare minimum is being done in and around Alexandretta. Work on small portions of roads and the erection of a few Government buildings appear very paltry in comparison with the projected railway line from Homs to Deir-ez-Zor and the harbour works contemplated for Tripoli and Lattaquié. Accordingly, spirits refuse to be calmed by a mile or two of road repair, and various theories are put forward in explanation.

3. The surrendering of Payas to Turkey on the 3rd June, consequent on the signing of the frontier agreement, was viewed with disfavour and considered as perhaps the first of various Turkish encroachments in a district still largely populated by Turks. It is also thought possible that France has in some vague way committed herself to granting Turkey certain facilities with regard to Alexandretta, including, perhaps, the creation of a free zone. Although economically this would be of advantage to the town, it would, nevertheless, be considered as giving Turkey a foothold in part of her old dominion.

4. Another view is that France is nursing hidden schemes for the development of this district and that her apparent neglect is dictated by a desire to keep down land values until such time as she is prepared to act. Alternatively, it is feared that France may have no policy at all and that she takes no interest in the development of this district.

5. I venture to submit these opinions for what they are worth. I fully concur with Mr. Catoni in considering that there is no really sound basis for these views, but it must, nevertheless, be admitted that French policy in this district is strikingly negative in comparison with the energy shown in other quarters.

I have, &c.

GEOFFREY MEADE.

[E 5018/1511/44]

No. 114.

Acting Consul Meade to Mr. A. Henderson.—(Received September 17.)

(No. 68. Confidential.)

Sir,

Aleppo, August 29, 1930.

WITH reference to my confidential despatch No. 64 of the 24th August regarding the Kurdish rising, I have the honour to forward certain supplementary information concerning opinions prevalent in Aleppo, which may be true and possibly of interest. My informant is a notable Kurd, who is considered to be reliable and impartial.

2. It appears that there are three main Kurdish societies:—

- Kurd Ta'ali*, in Northern Kurdistan, comprising the sons of Sheikh Said. They are said to be in close touch with the Bolsheviks.
- Khayboun*, in Syria, whose head office is in Beirut, and who have enlisted the support of the Armenian Nationalist Society, called "Tachmak."
- Khalaskaran*, in Turkey and Persia, of which many leading Turks and Persians are said to be members.

3. It is only natural that all the developments of this rising should be followed with great interest by Kurds in Syria. The rebels, however, would not appear to have enlisted their complete sympathy, as the rising is held to be based on religious

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rather than political motives, and the Syrian Kurd is waiting and hoping for the rallying cry of independence. Meanwhile, the French authorities are keeping watch to repress any movement, and although raids across the frontier are reported, it is probable that the chief activity in Syria is propaganda.

4. The Turkish Kurds near the Syrian frontier are reported to be only too willing to help, were it not for a large supply of arms and ammunition which the Turks have sent to Diarbekir to guard against any trouble in that quarter. Besides, these Kurds are not born fighters, and so they prefer secret activities, such as attempts to rouse feeling in Syria.

5. It further appears that the rebels are in close correspondence with the Bolsheviks, who are assisting them, but that this help is only taken through sheer necessity, as British help was not forthcoming. Kurds here believe, however, that the "Khalaskaran" Society is actively engaged in an attempt to enlist British support.

6. According to the latest reports, it is stated here that the 53rd Turkish Regiment has joined the rebels, with the result that the Turks are being defeated along the whole line. The Turks are accordingly massing their forces, in order to undertake a general offensive.

7. I am sending copy of this despatch to His Majesty's Ambassador at Istanbul, to the acting British consul-general at Beirut, and to His Majesty's consul at Damascus.

I have, &c.

GEOFFREY MEADE.

[E 5469/5469/89]

No. 115.

Consul Monck-Mason to Mr. A. Henderson.—(Received October 10.)

(No. 77.)

Sir,

Aleppo, October 2, 1930.

I HAVE the honour to forward herewith copy of a Syrian decree relative to the formation of a new sanjak, the Jezireh Sanjak.

2. It will be noticed that the village of Endivar, about which I wrote in my despatch No. 16, paragraph 3, of the 22nd January, 1930, is to become the capital of the caza of the Tigris.

3. According to my information, the first assistant delegate at Hassetché will be a military man.

I have, &c.

A. MONCK-MASON.

Enclosure in No. 115.

Arrêté No. 2392.

LE Président du Conseil des Ministres,
Vu l'arrêté 2980 du 5 décembre 1924 organisant l'État de Syrie,
Vu l'arrêté 1812 du 14 février 1921 portant sa nomination,
Vu l'arrêté 1814 du 15 février 1928 fixant ses attributions,
Vu la rétrocession des territoires faite par la République turque à l'État de Syrie en vertu du protocole d'abornement de la frontière turco-syrienne signé à Angora le 22 juin 1929 et l'intérêt qu'il y a, en raison des distances et pour les besoins de la population, à créer un nouveau sandjak dans la région de Djézireh,
Sur la proposition du Ministre de l'Intérieur,

Arrête :

Article 1^{er}. Les Cazas de Kamechlyé et de Hassetché sont détachés du Sandjak de Deir-el Zor, qui prendra le nom de Sandjak de l'Euphrate.

Art. 2. Il est créé un Sandjak de Djézireh, avec Hassetché pour chef-lieu, et comprenant les anciens Cazas de Hassetché et de Kamechlyé et les territoires rétrocédés à l'État de Syrie par la Turquie, entre les limites du Caza de Kamechlyé et le Tigre.

Art. 3. Les circonscriptions administratives du nouveau Sandjak du Djézireh sont les suivantes :

Les Nahiés de Cheddadeh et Ras-el-Ain rattachés directement au chef-lieu du sandjak ;

Le Caza de Kamechlyé comprenant les Nahiés de Karamnyé, Amouda et Bouerat ;

Le Caza du Tigre ayant pour chef-lieu Andiwar et comnante Moustaphouia et Deroun Agha.

Art. 4. Un arrêté ultérieur déterminera les limites des circonscriptions nouvellement créées à l'intérieur du Sandjak de Djézireh.

Art. 5. Les Ministres de l'État de Syrie sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté.

Damas, le 1^{er} septembre 1930.

TAJEDDINE-EL-HASSANI.

Vu :

Le Ministre de l'Intérieur,
DJÉMIL-EL-ELCHI.

Vu sans objection :

Le Délégué du Haut-Commissaire,
A. BRUÈRE.

Vu et approuvé :

Beyrouth, le 9 septembre 1930,

Le Secrétaire général par intérim,
H. HOPPENOT.

CHAPTER III.—IRAQ.

[E 4032/51/93]

No. 116.

M. Cambon to Mr. Oliphant.—(Received July 28.)

(Personnelle.)

Mon cher Oliphant,

Ambassade de France, Londres,
le 27 juillet 1930.

JE vous envoie quelques précisions sur notre conversation de ce matin. Elles sont destinées à votre information personnelle.

Le conseil de l'Irak Petroleum Company, qui devait discuter jeudi prochain le tracé du "pipe-line" des pétroles de Mossoul, se réunira probablement demain dans les conditions suivantes :

Ainsi que vous le savez, la société en question envoya une mission technique étudier sur place deux projets de "pipe-line." L'un aboutit à Tripoli et l'autre plus au sud. En plus, cette même société adressa à Beyrouth et à Jérusalem deux questionnaires relatifs aux conditions de pose et d'exploitation de ces "pipe-lines."

La mission technique se prononça en faveur du tracé nord. Le Gouvernement de Beyrouth répondit au questionnaire d'une façon très complète. Par contre, selon nos informations, le Haut-Commissariat de Jérusalem n'aurait pas encore fourni les renseignements demandés. Entre-temps le conseil déciderait de faire procéder à l'étude détaillée du tracé aboutissant à Tripoli.

La question en était là lorsqu'à Paris on crut savoir qu'au prochain conseil Sir John Cadman demanderait l'adoption du tracé sud.

Cette proposition répondrait aux vues du Roi Feysal. Il désirerait, pour des raisons de famille, voir le "pipe-line" traverser la Transjordanie. Ceci imposerait à la compagnie un supplément de frais considérable, tant pour la pose du tuyau que pour son exploitation (environ 30 pour cent).

Le Roi Feysal lie cette question du tracé à la conclusion d'un accord sur les terrains pétrolifères de Mésopotamie. Il offrirait à la compagnie la pleine propriété d'un périmètre à déterminer dans la région de Mossoul. La société abandonnerait, par contre, les droits que lui confère l'acte de 1925 dans les deux autres vilayets. Cet acte lui permet de choisir vingt-quatre lots de terrains et est plus avantageux que le nouveau projet de concession. L'avantage de celui-ci et la raison pour laquelle la compagnie l'a envisagé est de la mettre à l'abri des critiques que pourrait susciter l'acte de 1925. Le nouveau régime conférerait à l'Irak le bénéfice des adjudications et une intensification de la production.

La proposition que serait à la veille de faire Sir John Cadman imposerait à la compagnie un premier sacrifice à propos du "pipe-line" et une convention qui, loin de constituer une contre-partie, serait elle-même moins avantageuse que le régime actuel. Aussi, le groupe français est-il opposé à ces deux projets.

En 1929—je crois que nos documents portent les dates des 28 janvier, 29 avril et 1^{er} juin—le Gouvernement britannique reconnaissait que la compagnie ne saurait subir, pour des raisons politiques, des dépenses injustifiées ou superflues. C'est ce principe que le Gouvernement français désirerait voir rappeler à Sir John Cadman.

M. Briand estime, en effet, que la proposition en question subordonne les intérêts économiques de l'Irak à des considérations d'ordre politique et grèvera l'exploitation des pétroles de Mossoul de frais d'exploitation inutilement élevés, par rapport notamment aux exploitations pétrolifères voisines.

La question des pétroles de Mossoul a été réglée par la France, non pas avec l'Irak, mais avec la Grande-Bretagne. C'est avec Londres que le Gouvernement français s'est mis d'accord pour régler sa part dans l'entreprise; c'est au Gouvernement britannique que M. Briand a demandé que la part française ne soit grevée d'aucune charge politique du fait de territoires placés sous mandat britannique. C'est au Gouvernement britannique que s'adresse aujourd'hui M. Briand pour que l'esprit qui préside à la constitution de cette œuvre ne soit pas modifié.

M. Briand désirerait donc que Sir John Cadman et éventuellement le Roi Feysal connussent ces préoccupations avant le prochain conseil. Si une réunion a lieu demain le groupe français ne pourra, malheureusement, y assister. Au cas où la proposition de

Sir John Cadman serait maintenue, le groupe français ne pourrait s'y rallier et serait assuré, pour y faire opposition, du plein appui de son Gouvernement.

Veuillez excuser cette très longue lettre et croyez, mon cher Oliphant, que je vous suis bien reconnaissant de votre bon accueil.

Votre bien cordialement,
ROGER CAMBON.

[E 4032/51/93]

No. 117.

Memorandum communicated to the French Embassy on August 1, 1930.

THE representations which were made by M. Cambon, under instructions from the French Government, on the 27th July, regarding the proposed pipe-line from Iraq to the Mediterranean, were duly communicated to Sir John Cadman, who has stated, in reply, that the intentions attributed to him are completely devoid of foundation, and that he can only consider the matter on its merits, without the intervention of either Government.

2. M. Cambon explained that the French Government desire to deal with His Majesty's Government direct over this question, and, further, suggested that it is for His Majesty's Government eventually to communicate the preoccupations of the French Government to King Feisal, no doubt with a view to inducing His Majesty and the Iraqi Government to modify their present attitude.

3. These suggestions are difficult to reconcile with the view taken by the French Government in the winter of 1928-29, when their whole complaint was against the supposed intervention of His Majesty's Government with the Iraqi Government on the question of the alignment of the proposed pipe-line. It will be remembered that the undertaking given by His Majesty's Government to the French Government, as a result of the negotiations which then took place, was primarily an undertaking that His Majesty's Government would not bring any political pressure to bear on the Iraqi Government with a view to influencing them in their attitude towards this question. This point was made clear in paragraph 3 of the memorandum communicated to M. Berthelot by Mr. Nevile Henderson on the 29th April, 1929, which ran as follows:—

"It will be clearly understood that His Majesty's Government cannot oblige the Iraqi Government to extend the company's concession without such equivalent as that Government may think desirable in their own interest, and that His Majesty's Government can give no guarantee whatever as to the attitude of the Iraqi Government if the company decides to withdraw the revised draft. His Majesty's Government will, however, put no pressure on the Iraqi Government either to maintain or to withdraw the particular condition in regard to the survey of the Haifa route to which exception has been taken."

The French Government, indeed, recognised in paragraphs 3 and 4 of the memorandum enclosed in M. Berthelot's letter of the 31st May, 1929, to His Majesty's Ambassador that the question (in its then existing form) of the alignment of the pipe-line was one "relevant exclusivement de la compagnie et du Gouvernement irakien." Their main request was that His Majesty's Government should refrain from any intervention between the two parties concerned.

4. His Majesty's Government have loyally observed the undertaking which they then gave to the French Government, and have not influenced the Iraqi Government in any way in reaching their present decision in favour of a southern alignment. That decision has been taken by the Iraqi Government alone, and is supported by arguments altogether different from those indicated by M. Cambon. His Majesty's Government are, however, equally determined not to bring pressure to bear on the Iraqi Government in order to induce them to abandon their objections to the northern route, and regard the undertaking which they gave to the French Government in 1929 as equally precluding them from bringing pressure to bear on King Feisal in favour of the adoption of a Syrian alignment.

5. The possibility of any intervention by His Majesty's Government in either direction being thus precluded, His Majesty's Government are surprised to learn of the intention of the French Government to give their full support to the French group within the Iraqi Petroleum Company in resisting the demands of the Iraqi Government. The promise of such political support to a group within the Iraqi Petroleum Company seems little else than a political intervention of the very nature of that which the French Government originally attributed to His Majesty's Government, and so strongly resented, and is therefore, on the thesis of the French Government themselves, inadmissible.

Foreign Office, August 1, 1930.

[E 4418/51/93]

No. 118.

Ferit Bey to Mr. A. Henderson.—(Received August 15.)

*Ambassade de la République turque,
Londres, le 14 août 1930.*

M. le Ministre,
VOTRE Excellence n'ignore certainement pas que les dispositions de l'article 14 du Traité d'Ankara, signé le 5 juin 1926 par la Turquie d'une part et la Grande-Bretagne et l'Irak d'autre part, n'ont eu jusqu'à présent aucun commencement d'exécution, le Gouvernement de l'Irak n'ayant pas imposé à la Turkish Petroleum Company l'application du contrat de concession du 14 mars 1925, qui est la base fondamentale de l'article 14 du traité susmentionné.

D'autre part, le Gouvernement turc vient d'être informé que le Gouvernement irakien poursuit actuellement des négociations avec la Turkish Petroleum Company dans le dessein de modifier ou d'abroger le contrat de concession du 14 mars 1925.

Ces deux faits venant de créer une situation entièrement nouvelle, j'ai l'honneur, d'ordre de mon Gouvernement, de porter à la connaissance de votre Excellence les considérations suivantes:

1. Le Gouvernement de l'Irak ayant assumé, d'après l'article 14 du traité du 5 juin 1926, l'obligation "de payer au Gouvernement turc, pendant une période de vingt-cinq ans à partir de l'entrée en vigueur du traité, 10 pour cent sur toutes les redevances qui lui reviendront:

- (a) De la Turkish Petroleum Company en vertu de l'article 10 de la concession du 14 mars 1925;
- (b) Des compagnies ou personnes qui pourront exploiter le pétrole en vertu des termes de l'article 6 de la concession susindiquée;
- (c) Des compagnies subsidiaires qui pourraient être constituées en vertu des termes de l'article 33 de la concession susindiquée."

Il résulte de ce qui précède que les quotes-parts destinées au Gouvernement turc constituent, au point de vue juridique, une compensation et une indemnité pécuniaires redevables par l'État de l'Irak.

C'est avec la certitude d'une réelle et loyale application de toutes les clauses du contrat de concession du 14 mars 1925 signé avec la Turkish Petroleum Company, ainsi que l'exploitation immédiate des mines pétrolifères de Mossoul par les sociétés et personnes subsidiaires prévues dans les alinéas de l'article 14 du traité, que le Gouvernement turc accepta et signa le traité turco-anglo-irakien du 5 juin 1926.

C'est cette certitude en outre qui déterminait le Gouvernement turc à limiter à vingt-cinq ans à partir de l'entrée en vigueur du traité la durée de sa participation aux bénéfices de l'exploitation des gisements pétrolifères de Mossoul.

En conséquence, le Gouvernement de la République déclare qu'il décline toute responsabilité résultant de la non-exécution de l'article 14 du traité du 5 juin 1926; que ce manquement soit imputable à la carence de la Turkish Petroleum Company ou à la négligence du Gouvernement de l'Irak à assurer l'application intégrale du contrat de concession, il se réserve, en tout état de cause, la liberté de faire valoir tous ses droits découlant du traité et affirme que le délai de vingt-cinq ans ne peut commencer à courir qu'aux dates où la Turkish Petroleum Company et les sociétés subsidiaires ayant entrepris l'exploitation effective des mines auront commencé à payer les versements prévus par le traité.

[5382]

Il est bien évident que la non-application du contrat de concession pendant une période indéterminée et qui aurait pour conséquence l'aliénation totale ou partielle des droits attribués au Gouvernement turc serait inadmissible, car une pareille attitude irait non seulement à l'encontre des buts poursuivis par les signataires, mais encore constituerait une négation manifeste du droit établi.

2. D'autre part, le contrat de concession du 14 mars 1925 de la Turkish Petroleum Company est une partie intégrante du traité turco-anglo-irakien du 5 juin 1926, et forme, par conséquent, un engagement contractuel international. Toutes modifications de nature à introduire un changement dans la structure du contrat en question intéressent, au premier point, le Gouvernement turc. Les pourparlers engagés entre le Gouvernement de l'Irak et les représentants de la Turkish Petroleum Company ne sauraient donc se poursuivre à l'insu du Gouvernement turc, qui se réserve le droit de faire valoir son point de vue au sujet de l'abrogation, de la modification ou du renouvellement éventuels du contrat de concession du 14 mars 1925.

3. Le Gouvernement de la République a jugé opportun de porter ce qui précède à la connaissance du Gouvernement de Sa Majesté britannique, qui, en adhérant au traité du 5 juin 1926 en qualité de cosignataire, a assumé l'obligation de garantir la pleine et entière exécution des dispositions du traité, y compris l'article 14.

J'aime à espérer que le Gouvernement de Sa Majesté britannique, reconnaissant la justesse du point de vue que je viens de développer, voudra bien adhérer aux conclusions exposées ci-haut et saisis, &c.

FERIT.

[E 4401/51/93]

No. 119

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 15, 1930.

WITH reference to Foreign Office letter of the 7th August, enclosing a copy of a memorandum communicated to the French Embassy on the 1st August relative to the proposed pipe-line from Iraq to the Mediterranean, I am directed by Mr. Secretary Henderson to transmit to you the accompanying copy of a memorandum dated the 9th August, which was handed in to this Department by the French Ambassador on the 14th August.

2. In making this communication, M. de Fleuriau asked orally that it should not be treated as an official reply to the Foreign Office memorandum of the 1st August, but as a verbal explanation.

3. Copies of this letter are being sent to the Treasury, Admiralty, Air Ministry and Petroleum Department.

I am, &c.

MONTEAGLE.

Enclosure in No. 119.

Memorandum communicated by French Ambassador on August 14.

Mr. OLIPHANT a bien voulu remettre, le 1^{er} août, à M. Roger Cambon un aide-mémoire exposant le point de vue du Gouvernement britannique sur la question du tracé du "pipe-line" projeté entre l'Irak et la Méditerranée.

Faisant allusion à la démarche faite le 27 juillet par M. Cambon auprès de Mr. Oliphant, sur les instructions du Gouvernement français, démarche qui tendait à obtenir que le Gouvernement de Sa Majesté rappelât à Sir John Cadman et au Gouvernement de l'Irak l'accord des deux Gouvernements pour que soit exclue toute pression politique sur l'Irak Petroleum Company, le Foreign Office estime difficile de concilier cette suggestion, en ce qui concerne l'Irak, avec la position prise antérieurement par le Gouvernement français; il considère en outre que la détermination que celui-ci a marquée d'appuyer le groupe français de l'Irak Petroleum Company dans sa résistance aux exigences du Gouvernement irakien, constitue une intervention politique inadmissible suivant la thèse même du Gouvernement français.

Les conclusions du mémorandum britannique reposent en réalité sur une confusion, qu'il est nécessaire et d'ailleurs aisé de préciser.

L'intervention, au cours de l'hiver 1928-29, du Gouvernement français se justifiait par la situation suivante: l'Irak Petroleum Company négociait avec le Gouvernement de l'Irak une prolongation du délai fixé par l'acte de concession de 1925, délai dans lequel elle devait choisir les 24 lots qui lui sont réservés. Le Gouvernement de l'Irak avait alors suggéré, comme contrepartie à cette modification du contrat, l'étude et éventuellement le financement d'un chemin de fer en direction de la Méditerranée.

Prenant sur lui de modifier la proposition faite à ce sujet par le Conseil de l'Irak Petroleum Company, le président de cette société, Sir John Cadman, avait adressé au Gouvernement irakien une lettre offrant d'accorder une priorité à l'étude du tracé d'un chemin de fer sur Caïffa, et il avait écrit à l'un des représentants du groupe français que cette offre avait pour objet d'assurer à la compagnie "le plein appui de la Puissance mandataire."

Le Gouvernement français avait dû s'élever contre cette initiative d'ordre politique et il avait fait observer que "toute action exercée sur la Turkish Petroleum Company soit par la Puissance mandataire de l'Irak, soit par le Gouvernement irakien, tenu, en l'occurrence, de prendre conseil de la Puissance mandataire, et ayant pour effet de grever d'une charge politique les exploitations de cette compagnie, constitue un manquement aux accords de San-Remo." Il avait insisté auprès du Gouvernement britannique, par un mémorandum du 23 janvier 1929, pour que "la compagnie fût clairement informée de l'entière latitude qui lui était laissée à ce sujet et conservât à l'avenir la complète liberté de gérer ses intérêts en ne s'inspirant que de considérations purement économiques dans le cadre des accords internationaux."

Dans sa réponse en date du 29 avril 1929, Sir Austen Chamberlain s'est déclaré d'accord pour qu'aucune pression susceptible de nuire aux intérêts de la compagnie ne fût exercée, tant sur celle-ci que sur l'Irak. Il indiquait toutefois, comme le rappelle la note anglaise du 1^{er} août 1930, que le Gouvernement de Sa Majesté ne pouvait pas obliger le Gouvernement irakien à étendre la durée de la concession de la compagnie sans recevoir en échange une compensation telle que ce Gouvernement pourrait la trouver désirable dans son propre intérêt.

Le Gouvernement français n'avait pas de motif d'insister auprès du Gouvernement britannique pour qu'il intervint en l'occurrence auprès de l'Emir Feysal, puisque l'initiative dont il se plaignait (offre d'une priorité pour l'étude d'un chemin de fer sur Caïffa) venait non du côté irakien, mais du côté britannique. Du moment où Sir Austen Chamberlain marquait son accord pour que toute liberté fût laissée à la compagnie, le Gouvernement français ne pouvait que prendre acte avec satisfaction de cette assurance, ainsi qu'il l'a fait dans les paragraphes 3 et 4 de sa note du 1^{er} juin 1929.

Il ne renonçait nullement par là à une intervention éventuelle de la Puissance mandataire sur l'Irak, relativement au "pipe-line."

En ce qui concerne spécialement ce point, le Département des Affaires étrangères a d'ailleurs précisé, dans cette même note du 1^{er} juin 1929, que "les charges supplémentaires qui résulteraient pour la compagnie de l'adoption d'un tracé du "pipe-line" motivé par des raisons politiques seraient injustifiables au même titre que celles qui pourraient résulter de sa participation à la construction d'un chemin de fer d'intérêt politique."

Le Gouvernement français tient toujours pour convenu que la question du "pipe-line" doit être exclusivement traitée sur le terrain économique; pour cette raison même, sans prétendre aucunement s'immiscer dans les tractations de la compagnie, il entend s'élever contre toute pression politique, quelle qu'en soit l'origine. Ce serait jouer sur les mots que de soutenir qu'à veiller ainsi à ce que la compagnie conserve la libre gestion de ses intérêts, il exerce une action politique inconciliable avec sa propre thèse.

Or, l'intervention du Gouvernement irakien auprès de la société en vue de l'amener à adopter pour le "pipe-line" le tracé sur Caïffa a manifestement le caractère d'une pression politique. Les arguments qu'il produit à l'appui de ce choix expliquent sans doute ses préférences, mais aucun ne répond aux intérêts propres de la compagnie. On ne s'en étonnera pas si l'on sait que, suivant les conclusions mêmes de la mission que l'Irak Petroleum Company a envoyée sur place pour comparer les deux itinéraires, le tracé nord est à tous égards plus avantageux pour elle, parce que plus court, plus économique et plus sûr, l'économie en capital qu'il permettrait de réaliser étant évaluée par le rapport Towl aux environs de 12 millions de dollars, et les frais d'entretien devant être de 20 pour cent au moins inférieurs à ceux du tracé sud.

Le Gouvernement de l'Irak lie la question du "pipe-line" à celle de la revision éventuelle de la convention de 1925, qui régit la concession de la société. A la connaissance du Département des Affaires étrangères, l'économie de ce projet de revision consisterait à accorder la pleine jouissance d'un certain périmètre à la compagnie, qui abandonnerait ses droits sur le reste des vilayets. Or, l'acte de concession de 1925, s'il l'oblige à choisir 24 lots et à accepter la mise aux enchères des autres parcelles, la met en mesure de s'assurer l'acquisition gratuite de ces dernières en lui adjugeant le produit des enchères. Elle n'est donc pas demanderesse en l'occurrence. Elle est en possession d'un contrat solide, lequel a été approuvé par le Gouvernement irakien et a été porté à la connaissance de la Commission des Mandats de la Société des Nations. Elle n'a envisagé une modification de son contrat que pour se mettre à l'abri des critiques que pourrait soulever l'absolutisme des droits que lui reconnaît l'acte de 1925, consentant de bonne volonté à l'Irak le bénéfice des nouvelles adjudications et d'une intensification de la production.

Si le Département des Affaires étrangères a cru devoir rappeler le détail et les raisons de ces tractations qui, il le répète, sont du ressort exclusif de la compagnie, c'est uniquement pour marquer dans quelles conditions le Gouvernement irakien prétend obtenir de celle-ci qu'elle se prononce pour le "pipe-line" méridional dirigé vers Caïffa, alors qu'au regard des frais à supporter, la compagnie n'a pas d'hésitation possible sur le tracé à adopter.

Il lui suffirait de s'en tenir au contrat de 1925 pour écarter des exigences aussi contraires à ses intérêts, d'autant plus que rien dans le contrat de concession ne l'oblige à soumettre le tracé du "pipe-line" au Gouvernement irakien. Mais elle ne peut envisager sans appréhension la pression exercée par le Gouvernement sur le territoire duquel elle est appelée à exploiter sa concession, d'autant plus que son président (Sir John Cadman, également président de l'Anglo-Persian, société contrôlée par le Gouvernement anglais) a, par l'initiative qu'il a prise en 1929, marqué déjà ses propres préférences pour Caïffa.

C'est pourquoi le Gouvernement français avait jugé nécessaire d'inviter M. Roger Cambon à exposer en toute franchise la situation au Foreign Office, en priant ce dernier d'intervenir auprès de Sir John Cadman et éventuellement de l'Emir Feysal, alors en séjour à Londres.

Le Foreign Office a bien voulu faire part des préoccupations du Gouvernement français au président de l'Irak Petroleum Company, mais il n'a pas cru devoir en saisir l'Emir, et, dans son memorandum du 1^{er} août, il a fait connaître que le Gouvernement britannique était déterminé à ne pas intervenir auprès de celui-ci.

Le Département des Affaires étrangères croit avoir établi que le seul argument qui lui soit fourni pour justifier cette attitude manque de fondement. Les deux Gouvernements ont constaté leur accord non pas pour exclure toute intervention auprès du Gouvernement de l'Irak, mais, selon les propres termes de Sir Austen Chamberlain, "pour que la compagnie n'ait pas à subir, pour des raisons politiques, de dépenses injustifiées ou superflues." Le Gouvernement français ne considérerait pas que cet engagement fût entièrement tenu, si le Gouvernement de Sa Majesté laissait l'Irak libre de s'y soustraire. Les articles 4 et 10 du traité du 10 octobre 1922, actuellement en vigueur entre la Grande-Bretagne et l'Irak, font une obligation au Gouvernement irakien de se conformer aux engagements pris par la Grande-Bretagne et la décision du Conseil de la Société des Nations, du 27 septembre 1924, qui approuve ce traité, accepte les engagements du Gouvernement britannique, d'après lesquels, notamment, celui-ci "assume, à l'égard de tous les membres de la Société des Nations qui accepteront les dispositions du présent arrangement et les avantages dudit traité, la responsabilité de l'exécution, par l'Irak, des dispositions dudit traité d'alliance."

Le Gouvernement français ne saurait laisser compromettre les droits qu'il possède sur les pétroles de Mésopotamie. Les accords de San-Remo, qui les lui ont reconnus, ne sont pas liés juridiquement à la rétrocession de Mossoul consentie par la France à l'Angleterre, mais ils s'y rattachent par un lien moral. Ils ont assuré à la France 25 pour cent des huiles de Mésopotamie, libres de toutes charges autres que celles qui sont afférentes à leur exploitation.

Depuis lors, la part française n'a cessé de se réduire. Elle s'est limitée, avec la concession de 1925, aux deux vilayets de Bagdad et de Mossoul. Elle a été ensuite ramenée à 23-75 pour cent, par suite de l'entrée dans la Turkish Petroleum Company de groupes nouveaux. Le Gouvernement français connaît les raisons qui ont motivé ces modifications: aussi n'a-t-il pas formulé d'objections. Mais il estime que la Grande-Bretagne, signataire des accords de San-Remo, ne doit pas permettre que,

même indirectement et par des voies latérales, la part française soit touchée de nouveau par l'aggravation, pour des motifs politiques, des charges qui pèsent sur la compagnie.

Le Gouvernement de la République ne réclame nullement, comme paraît le croire le Foreign Office, dans sa note du 1^{er} août courant, que le Gouvernement britannique fasse pression auprès du Roi Feysal en faveur du tracé syrien. Il demande seulement, et il s'estime en droit d'obtenir, que le Roi de l'Irak observe sur cette question la neutralité convenue entre les Gouvernements français et anglais et la maintienne sur le terrain économique où ses intérêts essentiels se conjuguent d'ailleurs avec ceux de la France, puisque les deux pays ont le même désir de hâter l'exploitation des pétroles de Mésopotamie.

Paris, le 9 août 1930.

[E 4396/1192/93]

No. 120.

Mr. A. Henderson to Sir R. Clive (Tehran).

(No. 416.)

Sir,

Foreign Office, August 15, 1930.

IT will be within your recollection that among the assurances given in November 1914 to the Sheikh of Mohammerah by the British resident in the Persian Gulf on behalf of His Majesty's Government was one by which the date gardens then in the sheikh's possession on the Turkish side of the Shatt-el-Arab should remain in full possession of him and his heirs, and be immune from taxation.

2. Protracted discussions, covering a period of some years, have taken place with the Iraqi Government concerning this immunity from taxation promised by His Majesty's Government in 1914 to the Sheikh of Mohammerah, and the similar assurances given at the same time to the Sheikh of Koweit. It has proved impossible, despite the strongest pressure, to induce the Iraqi Government to recognise these promises as obligations which devolve on them, and, after full consultation with the High Commissioner for Iraq (who is now in London), the Government of India and the political resident in the Persian Gulf, His Majesty's Government have decided to authorise the Iraqi Government to negotiate direct with the sheikhs, while at the same time reserving their decision as to the action to be taken should direct negotiations break down.

3. In these circumstances, I shall be glad if you will forthwith approach the Sheikh of Mohammerah in the following sense: You should inform him that the Iraqi Government propose to negotiate with him privately for a direct settlement of the question of the immunity from taxation promised him in respect of his date gardens in Iraq. The settlement which the Iraqi Government have in mind would take the form of the purchase of the date gardens, together with all rights and exemptions thereto attaching. The sheikh should also be informed that, although he would of course be entirely free to accept or reject any offer made to him by the Iraqi Government, His Majesty's Government consider that he would be well advised to accept a reasonable offer, since the sale of his properties to Iraq would not only provide him with a substantial capital sum, but would also obviate the difficulties which would seem bound to arise sooner or later, once the Iraqi Government is completely independent of British control. The sheikh should be reminded that the Iraqi Government will probably be free from British control after 1932.

4. It is probable that the sheikh will then enquire what is the attitude of His Majesty's Government in regard to the undertaking given to him on their behalf in 1914. In reply, he may be informed that that undertaking is regarded by His Majesty's Government as a valid and binding obligation, but that, in their view, this obligation has now devolved upon the Iraqi Government. The Iraqi Government, however, do not accept this view, but, rather than come into open conflict on the point with His Majesty's Government, are prepared, without prejudice to the question of principle involved, to attempt to reach a settlement of the issue on the basis of a reasonable composition; and, in all the circumstances, His Majesty's Government consider that this method will offer the most hopeful prospect of settling the matter in the best interests of all concerned.

5. If the sheikh should then ask what would happen if he is unable to settle with Iraq as regards the purchase price of his properties, and his direct negotiations

[5382]

with the Iraqi Government should therefore break down, he should be informed that the matter would then fall to be dealt with between His Majesty's Government and the Iraqi Government. His Majesty's Government would do their utmost to obtain the formal acceptance of this obligation by Iraq. If their efforts were successful, and the Iraqi Government were forced to accept the obligation as devolving upon themselves, it seems almost certain that they would wish to compound their liability to the sheikh in very much the same manner as is now proposed. It seems doubtful whether, in such an event, the sheikh would obtain terms any more generous than those which are likely to be offered to him now, since the atmosphere in which the negotiations would then be conducted could scarcely fail to be less favourable than it is now, when the Iraqi Government are anxious to please His Majesty's Government by disposing of a question at issue between the two Governments.

6. If, in the course of direct negotiations between the sheikh and the Iraqi Government, the sheikh should seek your advice in regard to any specific offer put forward by Iraq, you should be careful only to reply to the effect that the sheikh is himself best able to judge whether the terms offered by Iraq are or are not acceptable, and that you are unable to advise on this point. You should, however, without informing the sheikh that you were doing so, acquaint me with the terms of the Iraqi Government's offer, as disclosed to you by the sheikh. If that offer then appears to His Majesty's Government as wholly unreasonable, it would be for consideration whether the High Commissioner for Iraq should not be instructed to intervene privately with the Iraqi Government with the object of inducing them to offer better terms, but no hint of the possibility of such intervention should, of course, be conveyed to the sheikh.

7. A similar communication is being made to the Sheikh of Koweit through the political resident at Bushire and the political agent at Koweit.

I am, &c.

ARTHUR HENDERSON.

[E 4502/1192/93]

No. 121.

Sir R. Clive to Mr. A. Henderson.—(Received August 19.)

(No. 393.)

Sir,

Gulhek, August 12, 1930.

I HAVE the honour to inform you that Sheikh Khazal Khan, in a recent conversation with the oriental secretary to this Legation, mentioned that he had heard from his agent in Basra that the Iraqi Government had decided to collect in future the usual taxes from his date groves in the Basra district. This, the sheikh said, was contrary to the written undertaking given to him by Sir P. Cox during the war, in virtue of which his date groves were exempted from all taxes as a reward for the services which the sheikh had rendered.

2. I have noticed in the news diaries from Bagdad that this question has in the past occupied the attention of the Iraqi Cabinet, and that certain proposals in connexion therewith had been discussed, but I am unaware that any definite decision has been taken. In any case, the sheikh evidently expects the terms of the document given to him to be implemented, whatever the future status of Iraq may be, and looks to His Majesty's Government to see that the promises made to him by the then High Commissioner will continue to be carried out.

3. I beg that I may be informed in due course what reply I am to give to the sheikh. I should be glad to allay his fears, as the rent of his properties at Basra, after deducting the expenses for the maintenance of his numerous family and dependents in Iraq, is all that he has to live on at present, and he is naturally anxious to avoid any reduction in these revenues at this stage.

4. I am sending a copy of this despatch to His Majesty's Acting High Commissioner at Bagdad.

I have, &c.

R. H. CLIVE.

[E 4489/41/93]

No. 122.

Foreign Office to Secretary-General, League of Nations.

Sir,

Foreign Office, August 19, 1930.

WITH reference to Foreign Office letter of the 4th November, 1929, relative to the intention of His Majesty's Government in the United Kingdom to recommend Iraq for admission to membership of the League of Nations in 1932, I am directed by Mr. Secretary Henderson to inform you that His Majesty's Government have for some time past been in negotiation with the Iraqi Government for the conclusion of a new treaty to regulate the relations between His Britannic Majesty and His Majesty the King of Iraq after the admission of Iraq to membership of the League.

2. These negotiations have now resulted in the signature at Bagdad on the 30th June of the Treaty of Alliance and Amity, copies of which are enclosed herein, together with copies of the annexure to the treaty and of certain notes exchanged at the time of its signature.*

3. I am to state that the Secretary of State will be grateful if you will be so good as to communicate copies of this document to the members of the Council of the League.

I am, &c.

MONTEAGLE.

[E 4418/51/93]

No. 123.

Mr. A. Henderson to Ahmet Ferit Bey.

Your Excellency,

Foreign Office, August 28, 1930.

I HAVE the honour to acknowledge the receipt of your note of the 14th August, in which you expressed uneasiness as to the effect which might result, from the negotiations now proceeding between the Iraq Petroleum Company and the Iraqi Government for the modification of certain provisions in the Convention of 1925, as regards the share of royalties which the Turkish Government are entitled to receive, under article 14 of the Treaty of Angora, for a period of twenty-five years running from the date of entry into force of the treaty.

2. I take leave to assure your Excellency that these negotiations have in view certain modifications in the Convention of 1925, the principal effect of which would be to expedite the production of oil in Iraq and thus the earlier payment of royalties. The Iraqi Government, who are to retain 90 per cent. of the royalties as against the 10 per cent. payable to the Turkish Government, are naturally no less eager than the Turkish Government to see the oil in Iraq developed as quickly as possible; and it would clearly be contrary to Iraq's interest to conclude any agreement which would have the effect either of retarding the payment of royalties or of diminishing their amount.

3. In your Excellency's note it is stated that article 14 of the Treaty of Angora was only accepted by the Turkish Government on the basis that all the clauses of the Convention of 1925 would be fully and loyally applied, and the oil-bearing areas of Mosul would be immediately exploited.

4. His Majesty's Government are advised that there has been no undue delay in the execution of the Convention of 1925. At the date of the signing of that convention the existence of oil on a commercial scale had not been proved in Iraq; and, although such provisions were included in the convention as were considered necessary to ensure that immediate steps would be taken to prove the oil-bearing areas and to begin commercial exploitation as quickly as was practicable, it was recognised in the convention itself that a period of several years must elapse before production on a substantial scale could begin. The local demand for oil is relatively small; and it has always been foreseen that before the company can proceed to commercial exploitation an outlet for the oil to the markets of the world must be provided, and a pipe-line, costing several million pounds, linking up the oil-fields with the coast, must be constructed. The company could not be expected to embark

* Cmd. 3627.

on expenditure on such a scale until they had satisfied themselves as to the quantities of oil available and the best positions in which to carry out drilling operations on a commercial scale. To this end the company have already expended some £3 million in testing the oil-bearing areas; they have actually carried out drilling operations considerably in excess of their obligations under the convention; and it is understood that the date for the completion of the pipe-line is one of the matters which are being discussed during the present negotiations.

I have, &c.

ARTHUR HENDERSON.

[E 4976/1932/93]

No. 124.

Sir G. Clerk to Mr. A. Henderson.—(Received September 15.)

(No. 350.)

Sir,

Constantinople, September 4, 1930.

I HAVE the honour to report that General Nuri Pasha, Prime Minister of Iraq, passed through Turkey this week on his return to Bagdad.

2. Unfortunately, I was only able to see Nuri Pasha at Constantinople before his visits to the Minister for Foreign Affairs and Ismet Pasha at Angora, and to the Gazi at Yalova, as I had to go to the capital on the day his Excellency returned from there, and he had to leave for Bagdad before I could get back to Constantinople; but a member of my staff found him very pleased with his reception.

3. Nuri Pasha said that three main questions had been discussed:—

(1) *Mosul Oilfields.*—Nuri Pasha had said that he had seen the Turkish note handed in by the Ambassador in London and told the Turks frankly that it was quite unconvincing. He pointed out that Iraq's interest in the exploitation of the oilfields was nine times as great as the Turkish one, and that real efforts were being made to develop the oilfields as soon as possible. He knew that the question was still under consideration and thought that there was some question of making an early payment, but he hoped to know more definitely in a few days. Nuri Pasha got the impression that the Turks did not care in the least about the *tracé* of the pipe-line, realising as they did that the French were pushing the northern, just as the British desired the southern.

(2) *Frontier.*—The Turks had told him that they had been entirely satisfied about the Iraq Kurdish policy and general attitude on frontier questions since 1926. Nuri Pasha pointed out that the last thing the Iraq Government desired was trouble on the frontier, and gave quite definite assurances that no Kurdish intrigues would be encouraged. The Turks having referred to the Barzan incident, Nuri Pasha pointed out that the Iraq Government had themselves decided to deal this year with the Sheikh of Barzan, had for three years raised the question at meetings of the Permanent Frontier Commission and had definite proof that the sheikh had received arms and supplies, if not from the Turkish Government, then from Turkish sources independent thereof. He, Nuri Pasha, was only too anxious to put an end to the intrigues of the sheikh and had contemplated approaching the Turkish Government with a view to the latter holding the frontier on one side while the Iraq Government dealt with the sheikh on the other. It was now too late for action to be taken this year, but if the trouble continued, he would probably make proposals to the Turkish Government in this sense next spring.

(3) *Commercial Treaty.*—The Turks were anxious to complete this as soon as possible. Nuri Pasha said that he was, too. Agreement would probably be reached, as regards the judicial convention, in the next month. The Turks had now proposed to him that the commercial treaty should also include residence clauses. He had replied that he was not competent to discuss this, but that they might make the proposal through the usual channels.

Nuri Pasha had asked the Turks what they thought of the new treaty. The reply was that the Labour Government had done two of the best things that had been done by the British Government since the war—the conclusion of the London Naval Treaty and of the Anglo-Iraq Treaty. The Turks were delighted about the latter, but efforts had been made by the French to make them critical. They told Nuri Pasha that the French had suggested that the Turkish press should criticise the treaty in the direction of showing that, for practical purposes, it would include Iraq in the British Empire. The Turks had replied that they could not dream of doing this, because they considered the treaty to be an excellent thing, not only for Turkey, but for Iraq, and Tefik Rüstü Bey indicated that, at a suitable moment, he would have articles inserted in the Turkish press in a sense favourable to the treaty. Nuri Pasha much appreciated this indication, for a favourable attitude towards the treaty would be very valuable to him in Bagdad.

The Turks had asked Nuri Pasha about Great Britain's attitude towards Turkey. They realised that Britain was coldly friendly towards Turkey, but thought this did not get them very far. Nuri Pasha pointed out that it would, perhaps, be best for the Turks themselves to show real signs of friendship, for the British were not of a nature to curry favour. He gathered the impression that the Turks were still pretty well tied up with Russia.

In his conversation, Nuri Pasha had also referred to the Lawrence reports and pointed out what absurd rubbish they were. He had himself seen and talked with Colonel Lawrence in London, and the latter had been most amused at hearing the reports. The Turks had replied that they did not believe in the least in the Lawrence reports, which, at the beginning, had emanated from French sources in the same way as the first reports of Lawrence intrigues in Afghanistan had done eighteen months ago. The Turks had a very definite impression that France was doing her utmost to prevent any further development of friendly relations between Turkey and Great Britain and Iraq.

4. When I saw the Minister for Foreign Affairs yesterday he at once expressed his gratification at Nuri Pasha's visit and said that he was quite satisfied as regards the frontier and the Iraqi attitude towards the Kurds.

5. With respect to the oil question, his Excellency was clearly much perturbed at the thought that the delay in exploiting the oil diminishes by so much the twenty-five years during which Turkey is to receive her 10 per cent. of the profits. Under the Treaty of Angora, it is, of course, the case that the twenty-five years start from the coming into force of the treaty, but Tefik Rüstü certainly expected exploitation to begin within a year or two of that date. I have had the advantage of reading in your despatch No. 536 of the 1st instant the very complete reply returned to Ferit Bey, and I hope that it will soothe Tefik Rüstü's fears, for I need not dwell on the political disadvantage to our relations with Turkey of our seeming to encourage Iraq in anything which the Turks will be all too ready to interpret as a deliberate intention to put off as long as possible the day on which payments to Turkey must start. The fact that, if the positions were reversed, this is just what the Turks would do themselves will not affect the Turkish point of view.

I have, &c.

GEORGE R. CLERK.

P.S.—I have sent a copy of this despatch to the acting High Commissioner at Bagdad.

G. R. C.

Memorandum communicated to the French Embassy on September 19, 1930.

ON the 14th August the French Ambassador was so good as to communicate to the Foreign Office a memorandum, setting forth the views of the French Government on the question of the alignment of the proposed pipe-line from Iraq to the Mediterranean. Although his Excellency asked that his memorandum should be regarded not as an official rejoinder to the memorandum communicated to M. Roger Cambon on the 1st August, but as a verbal explanation, the statements contained in it reveal so complete a misapprehension of the facts of the situation, as to call for a detailed reply.

2. It appears from the final paragraph of M. de Fleuriau's memorandum that what the French Government desire is that the Iraqi Government should observe, in regard to the question of the alignment of the proposed pipe-line, an attitude of complete neutrality; that the French Government claim that it has been agreed between themselves and His Majesty's Government that such an attitude of neutrality should be maintained; and that the Iraqi Government should accordingly allow the question to be dealt with on a purely economic basis. It is added that, on such a basis, the true interests of Iraq coincide with those of France, since both countries are equally anxious to hasten the exploitation of Iraqi oil. The French Government therefore desire that His Majesty's Government should intervene with the Iraqi Government, with a view to inducing the latter to refrain from making the adoption of the southern alignment for the proposed pipe-line a condition of a grant to the Iraq Petroleum Company of a new concession, to replace the convention of the 14th March, 1925, and it is contended that His Majesty's Government are under an obligation to take this action, in view of the undertakings which they have exchanged with the French Government.

3. This contention, on which the whole case stated in his Excellency's memorandum appears to depend, is based on a misapprehension. It is true that the French Government have repeatedly explained that, in their view, the Iraq Petroleum Company should be left entirely free to manage its own affairs on purely economic principles and independently of all political considerations. It is also true that His Majesty's Government have undertaken not to exercise any pressure either on the Iraqi Government or on the Iraq Petroleum Company in favour of either alignment for the pipe-line. His Majesty's Government, however, have never agreed that the Iraqi Government are bound to adopt an attitude of neutrality. On the contrary, they have made it clear from the first that they regard the Iraqi Government as entirely free to express their preferences in this matter, and as fully entitled to impose whatever conditions they may think desirable in their own interests in return for the grant to the company of a revision of their concession—a revision which the Iraqi Government are free to accord or refuse. So far from agreeing to bring pressure to bear on the Iraqi Government to adopt an attitude of neutrality, His Majesty's Government have repeatedly and categorically stated that they are not prepared to take any such action.

4. Their attitude in this matter was, for example, clearly defined in the reply to M. de Fleuriau's note of the 13th December, 1928. His Excellency had explained in that note that the French Government held the view that, under the San Remo Agreement, the share of Iraqi oil falling to France was to be "free of all charges other than those connected with its exploitation," and that "in consequence, any action exercised on the Iraq Petroleum Company either by the mandatory Power in Iraq or by the Iraqi Government, which might have the effect of imposing a political charge on the exploitation of that company," would constitute a violation of the San Remo Agreement. So far, however, as the Iraqi Government was concerned, this view was never accepted by His Majesty's Government, and, on the contrary, it was explained in detail in paragraph 5 of Sir A. Chamberlain's note of the 12th January, 1929, to his Excellency that "His Majesty's Government cannot admit that the San Remo Agreement imposed on them any obligation whatever to resist the requirements of the Iraqi Government."

5. Notwithstanding this explanation, the French Government, in their memorandum of the 23rd January, 1929, reverted to their original contention and stated that, "from the general point of view, whether the action of the British Government or that of the Iraqi Government were in question, the French

Government could only maintain, in the most formal manner, the protest which it had made against an action, the effect of which would be to impose a political charge on the exploitation of the Turkish Petroleum Company in violation of the San Remo Agreement." This statement was answered in paragraphs 3 and 5 of Mr. Neville Henderson's memorandum of the 29th April, 1929, in paragraph 3 of which it was again explained that His Majesty's Government could not oblige the Iraqi Government to extend the company's concession (and, *à fortiori*, to agree to its revision) without such equivalent as that Government might think desirable in their own interest; that His Majesty's Government could give no guarantee whatever as to the attitude of the Iraqi Government; but that they would put no pressure on the Iraqi Government either to maintain or to withdraw the particular condition in regard to the survey of the Haifa route, to which the French Government had taken exception. It was further explained that Sir A. Chamberlain did not understand that the French Government considered that the San Remo Agreement, either in the spirit or the letter, necessitated the construction of a pipe-line and trans-desert railway (if built) to a Syrian port, more especially as such a contention would, in Sir A. Chamberlain's opinion, be contrary to the clear stipulations of the agreement, which only provides that, in consideration of certain arrangements in regard to the participation of the French Government in certain oil supplies, that Government should give facilities, if desired, for the construction of railways and pipe-lines through French spheres of influence to the Mediterranean. Mr. Neville Henderson's memorandum concluded as follows: "All that Sir Austen Chamberlain understands the French Government to contest is the placing upon the company, for political reasons, of an obligation to incur an unwarrantable and unnecessary expense. He feels sure that the French Government will agree that this possibility is finally discounted by the explanations given above." These remarks are quoted in paragraph 18 of M. de Fleuriau's memorandum and an interpretation is placed on them therein which His Majesty's Government cannot admit. His Excellency's memorandum appears to contend that, in the above passage, Sir Austen Chamberlain agreed that no obligation based on political reasons should be imposed on the company to incur any unnecessary or unwarrantable expense, and that he gave an undertaking to the French Government to this effect—an undertaking which covered the action of the Iraqi Government.

6. This interpretation is erroneous, for the following reasons: In the first place, the passage obviously only purports to be a statement of what Sir Austen Chamberlain conceived the position taken up by the French Government to be. It is nowhere stated or implied that Sir Austen Chamberlain was in agreement with that position. Secondly, it is impossible to interpret it as constituting an undertaking by His Majesty's Government to take steps to prevent any obligation being imposed on the company by the Iraqi Government, since any such interpretation would be in direct conflict with paragraphs 2 and 3 of the memorandum already referred to, where it was clearly stated that His Majesty's Government considered the Iraqi Government entitled to demand such conditions as they thought fit, that His Majesty's Government could give no guarantee as to the attitude of the Iraqi Government, and would put no pressure on that Government in favour of either of the alternatives then under discussion. The passage in question merely set out what was thought to be the view of the French Government, and indicated that the situation which then existed in no way conflicted with it.

7. It will be clear to the French Government from the foregoing explanation that His Majesty's Government have never agreed that the Iraqi Government are under any obligation to adopt a neutral attitude in this matter, but have, on the contrary, consistently maintained their decision to leave that Government complete freedom to deal with the question of the revision of the Iraq Petroleum Company's convention on whatever lines the Iraqi Government might consider desirable. In these circumstances the French Government's contention that His Majesty's Government are under an obligation to bring pressure to bear on the Iraqi Government to withdraw their condition regarding the southern alignment rests on no foundation of fact; while compliance with the French Government's present request, so far from being consistent with a policy agreed between the French Government and His Majesty's Government, would involve a complete reversal on the part of His Majesty's Government of the policy which they have consistently maintained.

8. Apart from this main misconception as to the undertakings and obligations of His Majesty's Government, on which the whole argument in his Excellency's memorandum is made to depend, there are certain other points in that memorandum on which comment appears desirable.

9. While His Majesty's Government do not dissent from the view expressed in the final paragraph of the French memorandum that the speedy exploitation of the oil of Iraq would be to the economic advantage both of France and of Iraq itself, it does not follow from this that the economic interests of Iraq and of France are necessarily identical as regards the choice of the alignment for the pipe-line. Iraq has, indeed, strong economic reasons for preferring the southern alignment, and, as was indicated in paragraph 4 of the Foreign Office memorandum of the 1st August, the Iraqi Government's decision in this matter is supported by arguments altogether different from those suggested in M. Cambon's letter of the 27th July and of a far more cogent nature.

10. Again, His Majesty's Government cannot accept the statement in his Excellency's memorandum to the effect that the adoption of the southern alignment would be, so far as the Iraq Petroleum Company is concerned, an unjustified or superfluous expense. They do not desire, however, to argue this point in detail, since the matter is clearly one for the company itself to decide. His Majesty's Government have, indeed, no doubt that the board of the Iraq Petroleum Company are well able to protect their interests in this matter without external assistance or intervention, and to decide what kind of new agreement between the company and the Iraqi Government is in the company's own best interests.

11. Lastly, His Majesty's Government cannot accept the view set forth in paragraph 13 of the memorandum, that the Iraq Petroleum Company in the negotiations now proceeding for a revision of its concession is not in the position of the suppliant party in seeking a modification of the *status quo*. The position as regards the negotiations between the company and the Iraqi Government is as follows: As stated in paragraphs 13 and 15 of his Excellency's memorandum, the Iraq Petroleum Company is already in possession of a valid contract with the Iraqi Government—i.e., the Convention of 1925—on which it is entitled to rely. As was made clear, however, in paragraph 3 of Sir A. Chamberlain's note of the 28th November, 1928, to the French Ambassador, it was on the initiative and to fulfil the wishes of the company itself that negotiations were opened with the Iraqi Government, after the conclusion of the 1925 Convention, for the extension of the period laid down in article 6 of that convention for the selection by the company of its twenty-four plots. These negotiations were subsequently extended with a view to secure a revision of the entire convention, the primary object being to agree on terms which should more closely correspond to the desiderata not only of the Iraqi Government, but of the company itself. Had the company, indeed, been satisfied with the conditions secured to it by the 1925 Convention, there would have been no object in its subsequent negotiations with the Iraqi Government—negotiations in which the company has aimed at securing economic advantages of a substantial nature, and not merely at protecting itself against possible criticisms as to the exclusive character of the rights secured to it by the Convention of 1925. In these circumstances His Majesty's Government cannot accept the view set forth in paragraph 13 of his Excellency's memorandum, that the company, in the subsequent negotiations for a revision of its convention, is not in the position of being the "demanderesse."

12. It is indeed clear that the company is fully entitled to ask for a revision, on more favourable conditions, of its existing convention with the Iraqi Government. But as was explained in Sir A. Chamberlain's notes of the 28th November, 1928, and of the 12th January, 1929, to his Excellency, His Majesty's Government consider that the Iraqi Government are equally justified in endeavouring to obtain an adequate *quid pro quo* in return for the additional advantages which the company now desires, and in only agreeing to grant such additional advantages on their own terms.

13. From the foregoing explanation, which makes the position clear, it will be apparent that His Majesty's Government have neither modified their policy nor in any way failed to observe the undertakings which they have, on various occasions given to the French Government in this matter, and to which the French Government have now appealed.

Foreign Office, September 18, 1930.

[E 5217/4259/93]

No. 126.

Mr. Osborne to Mr. A. Henderson.—(Received September 29.)

(No. 714.)

Sir,

Rome, September 26, 1930.

WITH reference to your telegram No. 110 of the 19th September, I have the honour to report that the King of Iraq arrived in this country on the 22nd September and proceeded at once to San Rossore, where he was received by the King of Italy. After luncheon at San Rossore His Majesty travelled to Leghorn, where he inspected the "25 de Mayo," which is being constructed for the Argentine Government. The same evening he left by train for Rome, where he arrived at 11.50 p.m. A special saloon coach had been provided for his use, and he was accompanied on the journey by the head of the Protocol Department of the Ministry for Foreign Affairs. Despite the late hour of his arrival, he was met at the station by Signor Giunta, Under-Secretary of the Presidency of the Council, the Prefect of Rome and Signor Grandi's "chef de cabinet." In accordance with your instructions, His Majesty's Embassy was represented at the station by a senior member of the staff.

2. On the following morning I had an interview of half an hour with His Majesty, who evinced great interest in conditions in Italy and in particular in the Government schemes for agricultural development. I placed myself at His Majesty's disposal, but he replied that he anticipated that the programme arranged for him by the Italian Government, whose guest he was, would prevent him from taking advantage of my offer, as proved to be the case. In the morning His Majesty received Signor Grandi at his hotel, and in the afternoon he paid a visit to Signor Mussolini. On the 24th September he visited the "Bonifica" works at Maccarese, and on the following day an expedition, organised by the Italian Government, was made to Tivoli.

3. On the 26th September the King left Rome by car for Naples in time to embark at 5 p.m. for Alexandria in the Italian s.s. "Ausonia." I instructed His Majesty's consul-general at Naples to be present on the quay at His Majesty's embarkation. Before his departure I received a telegram from the Acting High Commissioner at Bagdad offering to place an aeroplane at His Majesty's disposal for the return journey. I have the honour to enclose herewith a copy of the reply which I sent after taking His Majesty's pleasure.

4. The royal visit has aroused no great interest here. Little publicity was given to it in the press and the King accorded no interviews to journalists, nor is he reported to have made any statement beyond the usual complimentary remarks in regard to the Italian nation and the sights which he was taken to see.

I have, &c.

D. G. OSBORNE.

Enclosure in No. 126.

Mr. Osborne to Acting High Commissioner, Bagdad.

(Telegraphic.)

September 25, 1930.

YOUR telegram of 23rd September.

King of Iraq, accompanied by two of his staff, would be pleased to continue journey by aeroplane, starting from Aboukir on morning of 30th September, and staying one night at Ammam.

His Majesty leaves Naples on afternoon of 26th September on s.s. "Ausonia," and arrives Alexandria on 29th September, where he proposes to stop the night.

(Repeated to Alexandria.)

[E 5363/41/93]

No. 127.

*Foreign Office to Secretary-General, League of Nations.**Foreign Office, October 8, 1930.*

Sir,

I AM directed by Mr. Secretary Henderson to invite a reference to Foreign Office letter of the 19th August, enclosing copies of the new Treaty of Alliance and Amity between His Britannic Majesty and His Majesty the King of Iraq. It will have been observed that under the second exchange of notes attached to that treaty it was agreed that all outstanding financial questions, such as those relating to the Iraq railways and the Port of Basra, and those which it was necessary to settle for the purpose of the operation of the treaty and of its annexure, should form the subject of a separate agreement which should be concluded as soon as possible and which should be deemed an integral part of the treaty and should be ratified simultaneously therewith.

2. This agreement has now been concluded in the form of a further exchange of notes between His Majesty's High Commissioner for Iraq and the Iraqi Prime Minister and Minister for Foreign Affairs, dated London, the 19th August, 1930, copies of which are enclosed herein.

3. I am to state that the Secretary of State will be grateful if you will be so good as to communicate copies of this document to the members of the Council of the League.

I am, &c.

G. W. RENDEL.

[E 5509/1932/93]

No. 128.

Sir G. Clerk to Mr. A. Henderson.—(Received October 13.)

(No. 387.)

Sir,

Constantinople, October 8, 1930.

I HAVE the honour to report that Lieutenant-Colonel Sir Francis Humphrys, His Majesty's High Commissioner for Iraq, arrived here on his way to Bagdad on the 4th instant and left for his post this afternoon.

2. Sir Francis Humphrys and I went to Angora on the 5th October for two days, during which time he had interviews with the President of the Republic, the Prime Minister, the Acting Minister for Foreign Affairs, and the Permanent Under-Secretary in the Ministry, and this morning before leaving he also had an interview here with the Minister for Foreign Affairs, who returned from Russia yesterday and leaves for Angora to-night.

3. The High Commissioner will no doubt report in due course to the Colonial Office the substance of these interviews and it is unnecessary for me to describe them at any length. But I may be allowed to put on record the excellent impression which Sir Francis Humphrys made upon the authorities as well as my feeling that the visit has established a valuable personal contact, that it came at a most opportune moment, and that it will be of great use to the High Commissioner when discussing with the Iraq Government the policy of that country towards Turkey.

4. The reception of the High Commissioner by the authorities at Angora left nothing to be desired. Both at the luncheon given by the Acting Minister for Foreign Affairs and at the return luncheon given by me, at which the Prime Minister, contrary to his almost invariable habit, was present, and at the audience with the Gazi, the atmosphere was one of sincere friendship and cordiality. The Gazi was at his best and kept us for nearly two and a half hours discussing the autochthonic races of India and Mesopotamia, giving, with great frankness, his opinion of ex-King Amanullah, and telling us confidential stories of his relations with Enver Pasha during the last phase of Enver's career.

5. In the more official interviews with other Turkish authorities the Kurdish problem as affecting Turkey and Iraq was discussed frankly, but in the same friendly spirit; no direct complaint was made of the weakness of the Iraq Government, owing to which the Sheikh of Barzan had been able to support the Kurdish rebels in Turkey, and, indeed, due allowance seemed to be given to the fact that the Iraq Government had not yet been able to bring the Sheikh's district into complete control. But the High Commissioner was asked to press upon the Iraq Government the necessity for them to take effective measures in the interests of both countries, and I feel that

Sir F. Humphrys was able to convince the Turks that it was not goodwill so much as material force that was lacking in Bagdad, and his assurance that he would impress the facts upon the Iraq Government immediately on his return clearly gave confidence and satisfaction.

6. Sir F. Humphrys took the opportunity to point out that the Permanent Frontier Commission was designed for such matters, and that much could be done if the commission, and more especially the Turkish members, showed a more active sense of their powers and responsibilities.

7. The High Commissioner's visit happened also to coincide with the receipt of your telegram No. 88 of the 3rd instant, relative to the possibility of the Turkish Government seeking permission for their troops to enter, or operate within, Iraq territory. Happily, it had not to be raised either by the High Commissioner or myself since, as I reported in my telegram No. 111 of to-day, the Permanent Under-Secretary, when describing the present situation of the Turkish troops on the frontier, spontaneously added that there was no intention of asking for leave to cross the boundary and said that renewed instructions had been sent to the Turkish officer in command to respect the integrity of Iraq territory.

8. I have sent a copy of this despatch to His Majesty's High Commissioner in Bagdad.

I have, &c.

GEORGE R. CLERK

CHAPTER IV.—PALESTINE.

[E 3747/226/65]

No. 129.

Sir R. Lindsay to Mr. A. Henderson.—(Received July 12.)

(No. 1060.)

Sir,

Washington, July 2, 1930.

I HAVE the honour to report that the breach which occurred in the American Zionist movement nine years ago, with the defeat of the group headed by Supreme Court Justice Brandeis and Federal Judge Mack, was healed, at least nominally, on the 1st instant as the result of action taken by the thirty-third annual convention of the Zionist Organisation of America at Cleveland, Ohio, in confirmation of an agreement reached by negotiation between the Brandeis-Mack group and the Zionist administration, of which Mr. Louis Lipsky has been president ever since the breach.

2. The machinery of reunion takes the form of a coalition, the relative future strength of the two factions in the various bodies composing the Zionist Organisation being carefully laid down. There is to be an "administrative committee" of eighteen members, twelve being adherents of the Brandeis-Mack faction (including Judge Mack and Dr. Stephen Wise), and six being supporters of the former administration (including Mr. Lipsky himself); an "executive committee" of forty, equally divided between the two factions; and a "national advisory committee" of 150 members, 100 elected by the convention, and 50 chosen by the Brandeis-Mack group. Provision is also said to have been made for the representation of the latter group on the Jewish agency.

3. Press accounts of the convention, which was marked by stormy scenes, are, however, confused, and in particular no indication is given as to the extent to which agreement has been reached regarding the future policies of the American Zionist Organisation. I shall endeavour to obtain information on this point and embody it in a further despatch.

I have, &c.

R. C. LINDSAY.

[E 6963/226/65]

No. 130.

Sir R. Lindsay to Mr. A. Henderson.—(Received December 30.)

(No. 2007. Confidential.)

Sir,

Washington, December 18, 1930.

I RECENTLY had a visit from Mr. Henry Morgenthau of New York. He is a distinguished man, formerly United States Ambassador to Turkey and a G.B.E., and he is well known as a strongly anti-Zionist Jew. It was about Zionism that he came to talk to me, and he rather surprised me by the energy of his language. For the reasons of his opposition to Zionism he referred me to the last chapter of his book, "All in a Lifetime," but what he said about the Zionist authorities of to-day was more interesting. He said that these Jews were completely unprincipled, and he would hardly admit that there was any sincerity, conviction, or real enthusiasm behind their movement. Mr. Justice Brandeis, he said, had never realised that he was a Jew at all until he found that his faith might help him to achieve the highest ambitions of a legal career. The others were out for publicity and self-glorification. Their object was to smash relations between America and Great Britain and unless care was taken they would succeed. And yet, he said, they were not truly representative of the best Jewish feeling in America, which was far more of his way of thinking. Felix Warburg, he said, was at heart anti-Zionist, but he had been coaxed into lending the authority of his name to Zionism and could not now get out again. Except Rabbi Wise, of New York, none of the great rabbis of America were in favour of the movement, which was lacking in real backing among the Jewish community.

2. A few days ago I lunched with the editorial staff of the "New York Times" and made the acquaintance of Mr. Adolph Ochs, controlling owner of that journal, also known as an anti-Zionist Jew. I said to him that I had been a good deal concerned at the recent manifestations of unrest among the Jews of America over

Palestine and feared it might cause ill-feeling between Great Britain and the United States. I added that I had noticed and appreciated highly the very impartial manner in which his paper had handled these questions and asked him his views on them. Mr. Ochs explained at length his reasons for opposing Zionism. He did not think the movement as strong as it seemed and he did not consider that there was much danger of its becoming a political issue between America and England. To anything of that sort his paper would be strongly opposed. He had been pressed a good deal to join Zionism himself, but had always refused, and sometimes with difficulty, because he greatly valued his old friendships with the Jews in the other camp.

3. To-day I spoke to Mr. Cotton at the State Department and voiced to him my apprehensions as I had voiced them to Mr. Ochs. Mr. Cotton said he thought the matter a very serious one indeed. The Zionists, he said, now included in their organisation virtually all the principal Jews of America, and certainly all those who adhered faithfully to their religion. They were men of very great ability, influence and determination. He had asked for twenty minutes with Mr. Justice Brandeis and had been kept for three hours. Mr. Brandeis held that the Hope Simpson report was an honest document but completely inept. He had spent three months of the Supreme Court's vacation in an intensive study of every branch of Zionism and had come to the conclusion that Palestine could be made capable of supporting the same population as Massachusetts (about 4 millions). The Zionists, Mr. Cotton told me, were not at present exerting any pressure on the State Department. They understood that His Majesty's Government were at present engaged in reviewing their whole policy in regard to Palestine and they were prepared to await the outcome of these deliberations; but, he told me, they said to him quite openly that when this outcome was known, and if it was not entirely satisfactory, then they had every intention of coming to the State Department for support and of exerting every form of pressure in order to obtain it.

4. I said that I looked forward with great misgivings towards the possibility of Palestine becoming a subject of official discussion between our two Governments. Such a contingency seemed to me fraught with peril and to contain no promise of fruitful result. There was no question which, more than that of Palestine, required to be treated strictly on its local merits, for the only important thing was to find some practical solution on the spot under which Jew and Arab would be able to live in peace alongside of each other. We were dealing in Palestine with the elemental passions of an uneducated and uncivilised population. If, as a result of any sequence of events, the balance were to be inclined too far in favour of the Jews, then, however closely the terms of the mandate may have been observed, neither two battalions nor two divisions of troops would suffice to prevent bloodshed.

5. Mr. Cotton said that his attitude towards the Zionists he had seen lately had been completely non-committal. He had listened and said nothing at all. He had instructed his Department to act similarly. They had wanted to examine the question and to prepare reports on its various aspects—he had told them to refrain even from that much activity.

6. I should infer that the Zionists of America are at present engaged in a campaign to bring all the Jews of America of any note within their organisation so as to present as impressive a front as possible when the moment for action comes. Judging by the manner in which anti-Zionists of England have adhered to Zionism, it would not seem likely that those of America would put up any strong resistance, for they will be represented to their co-religionaries, not as anti-Zionists, but as anti-Jews. If Mr. Brandeis really imagines that Palestine can be made to support a population of 4 millions, it is hardly possible to imagine that any declaration of policy by His Majesty's Government will meet with Zionist approval, and we must then look forward to considerable agitation, the more formidable because of the influential positions held by Jews throughout America, and because more than in most countries, well-organised minorities in America are able to divert the policy of the whole Government. The spectacle of Mr. Cotton burying his head in the sand is not encouraging.

7. A copy of this despatch is being sent to the High Commissioner for the United Kingdom in Ottawa.

I have, &c.

R. C. LINDSAY.

CHAPTER V.—GENERAL.

[E 3726/506/65]

No. 131.

*Mr. A. Henderson to M. de Fleuriau.**Foreign Office, July 15, 1930.*

Your Excellency,

ON the 15th October last your Excellency left at the Foreign Office a memorandum regarding the question of the claim of a French group in respect of a pre-war concession for the extraction of salt deposits from the Dead Sea. When making this communication, you expressed the hope of the French Government that His Majesty's Government would reconsider their previous decision, communicated to you in my note of the 20th August, 1929, to refuse arbitration on this question.

2. In view of your representations on the subject, His Majesty's Government have reconsidered the whole matter, and I am happy to be able to inform you that they are now prepared to agree to the submission of the present question to arbitration by the Permanent Court of International Justice at The Hague, subject to the following four conditions:—

- (a) That the French Government agree themselves to adopt and accept responsibility for the claim put forward by the French group.
- (b) That the French Government agree that the point to be submitted for decision to the Permanent Court of International Justice at The Hague is whether any right possessed by the French Government in international law has been infringed by the refusal of His Majesty's Government to recognise the validity of the concession.
- (c) That the French Government agree to the insertion in the terms of reference to the Permanent Court of a provision enabling the Court to award costs to the successful party.
- (d) That the French Government agree to the reference to arbitration of the British claims arising out of disturbances in Syria in 1925 and 1926, as presented to the French Government by His Majesty's Embassy in Paris in November 1926 and April 1927.

3. As regards this last condition, I shall be glad if you will draw the attention of the French Government to the fact that, in a note dated the 4th May, 1929, His Majesty's Embassy in Paris informed the Ministry for Foreign Affairs that His Majesty's Government had no option but to make the formal request—which, in the hope that a settlement by diplomatic negotiation might be reached, they had long delayed—that the whole matter should be referred to arbitration, in accordance with articles 1 and 2 of the Anglo-French Arbitration Agreement of the 14th October, 1903. It was explained that if the French Government considered that neither the Permanent Court of International Justice, nor the Permanent Court of Arbitration were suitable for the arbitration of these claims, where the amount at issue was comparatively small, His Majesty's Government would be prepared to consider any alternative proposal which the French Government might put forward, and various suggestions were made as to the form of arbitration which might suitably be adopted. No official reply has been received by His Majesty's Government to this proposal, notwithstanding frequent reminders on the part of His Majesty's Ambassador in Paris.

4. If the French Government agree to the four conditions put forward above, His Majesty's Government will be ready to proceed without delay with the necessary arrangements for the submission to arbitration of the French group's claim to the Dead Sea Salts Concession.

I have, &c.

ARTHUR HENDERSON.

[E 4183/1077/89]

No. 132.

Mr. A. Henderson to Lord Tyrrell (Paris).

(No. 1652.)

My Lord,

Foreign Office, August 7, 1930.

AS you are aware, the informal conversations on the subject of the Syria-Iraq and Syria-Transjordan frontiers, which took place in Paris between the 16th July and the 19th July, resulted in an agreement between the British and French delegations to refer to their respective Governments for approval a formula providing for a reference of the question of the frontier to the League of Nations. A copy of the text of this formula is enclosed herein. As you will have seen from recent correspondence, the Iraqi and Transjordan Governments have now both concurred in its terms.

2. I shall, accordingly, be glad if your Lordship will now inform the French Government that the formula, the precise terms of which should be set out in the communication to the French Government, is acceptable to His Majesty's Government, and that His Majesty's Government are prepared, on learning that it is accepted by the French Government also, to give effect to paragraph (A) of it, by communicating to the French Government, under cover of an official note, a map showing the frontier which they believe to be that defined by the Anglo-French convention of the 23rd December, 1920.

3. In order to minimise the risk of misunderstanding, His Majesty's Government propose that the map to be used for this purpose should be the million sheet map of 1916, which, as was agreed in the course of the Paris conversations, must have been that used by the negotiators of the convention of 1920. You should accordingly invite the French Government to make use of the same map in order to indicate the frontier which they believe to be that defined by the 1920 convention, explaining at the same time that the geographical section of the War Office, whose stock of the map in question has now been destroyed, have undertaken to provide, from their record copy, photographs of those sections of the map which show the frontier zone from the Tigris to El Hamme, and that two sets of these photographs will be put at the disposal of the French Government should they be prepared to agree to the above suggestion.

4. As the French Government will realise, little time remains for the exchange of correspondence on this question, and for the preparation of the detailed communication to the League of Nations provided for in paragraph (B) (I) of the formula, if the matter is to be brought before the Council of the League at its next session. I shall, therefore, be glad if you will represent the urgency of the matter to the French Government and ask them to be good enough to return a very early reply to your communication.

I am, &c.

ARTHUR HENDERSON.

Enclosure in No. 132.

Syria-Iraq and Syria-Transjordan Frontier.

Formula agreed on by the British and Foreign Delegations in Paris on July 19, 1930.

(A) IT is suggested that the two Governments should communicate to each other, under the cover of official notes, maps showing the frontier which each of them believe to be that defined by the convention of the 23rd December, 1920.

(B) It is suggested that the two Governments should, at the next meeting of the Council of the League of Nations:—

(I) Inform the Council of the circumstances in which they have found it impossible to continue and complete the work of the commission established by article 2 of the convention of the 23rd December, 1920, and shall inform the Council of the line which they consider to be the frontier defined by the convention and of the inconveniences to which they consider both that frontier and the frontier propounded by the other Government to be subject.

[5382]

(II) Should invite the Council of the League :—

- (1) To examine all the differences of every kind which exist between them in regard to the frontier laid down by the convention of the 23rd December, 1920, between the States of Syria and Jebel Druse on the one hand and Iraq and Transjordan on the other.
- (2) As a preliminary step towards this end, to appoint a commission which, after having taken cognisance of memoranda and counter-memoranda to be laid before them by the two Governments in order to define their respective points of view, will undertake on the spot all necessary enquiries and, when reporting to the Council, will indicate on a map to be prepared for the purpose by the two parties the frontier which they recommend. The commission shall take account of the physical configuration of the ground, tribal needs, administrative convenience and considerations of public security.
- (3) To formulate on the basis of the convention of 1920, and in the light of the commission's report, a definite solution of the questions at issue which shall be binding on all parties concerned.

[E 4863/1511/44]

No. 133.

Acting Consul Meade to Mr. A. Henderson.—(Received September 9.)

(No. 64. Confidential.)

Sir,

Aleppo, August 24, 1930.

I HAVE the honour to report that in the course of a conversation I had yesterday with M. Lavastre, the assistant delegate, the name of Colonel Lawrence was mentioned, and I received the impression that it is held in official circles here that he is implicated in the Kurdish revolt. M. Lavastre, in fact, admitted that an official report stated that Colonel Lawrence was on the Turco-Syrian frontier to the north-west of Aleppo. He himself did not seem inclined to believe it, however, and this is probably the work of a "renseignement" officer, who, from my short experience, appear as a class to be singularly credulous.

2. That Colonel Lawrence is implicated is generally believed here, and the Arabic press fix his headquarters at Maku on the Turco-Persian frontier, while an official denial in the French press at Beirut is received with a smile. Anti-French elements hope that Great Britain is using this in order to make difficulties for France on the Turco-Syrian border, while many sections of the community blame France for appearing to go beyond the obligations of the "Bon Voisinage" agreement. I have heard on reliable authority that the French have ordered Kurdish chiefs near the frontier to move into the interior, while it is said that they have kidnapped a notable Kurdish religious leader of Syrian nationality, and have handed him over to the Turks, who are keeping him imprisoned in Killis. It is also stated that the Turks have stationed 3,000 regular troops between Sevelek and Diarbekir to frustrate any movement on the part of the Syrian Kurdish tribes.

3. Meanwhile the Armenians are watching developments, and there is certainly an important section who would welcome a combined effort with the Kurds.

I have, &c.

GEOFFREY MEADE.

[E 4895/506/65]

No. 134.

M. de Fleuriau to Mr. A. Henderson.—(Communicated by French Ambassador on September 10.)

Ambassade de France, Londres,

le 4 septembre 1930.

M. le Secrétaire d'Etat,

PAR sa lettre du 15 juillet dernier, votre Excellence a bien voulu me faire savoir que le Gouvernement britannique était disposé à soumettre au jugement de la Cour permanente de Justice internationale les réclamations du groupe français intéressé à la concession accordée avant la guerre pour l'exploitation des gisements de sels de potasse de la mer Morte.

Je n'ai pas manqué de transmettre cette communication à mon Gouvernement, qui a appris avec satisfaction que le Gouvernement de Sa Majesté acceptait ses propositions à cet égard, et qui a examiné avec le plus grand soin les conditions auxquelles le Gouvernement de Sa Majesté a cru devoir subordonner l'acceptation qu'il a énoncée.

A cet égard, j'ai été chargé de porter à la connaissance de votre Excellence ce qui suit :

La première condition formulée au nom du Gouvernement de Sa Majesté ne correspond pas aux dispositions que l'en rencontre habituellement dans les compromis d'arbitrage; sa portée n'apparaît pas clairement au Gouvernement français; enfin elle aurait pour conséquence d'obliger celui-ci à soumettre ce différend au Parlement, ce qui entraînerait des retards préjudiciables.

La seconde condition qui paraît avoir quelque rapport avec la première ainsi qu'avec le fait qu'il a été envisagé de soumettre le différend à la Cour permanente de Justice internationale paraît également s'écarter des formules généralement employées dans les compromis par lesquelles deux Puissances conviennent de soumettre les réclamations de leurs nationaux à l'arbitrage. En même temps, elle ne met pas assez en lumière que les points essentiels à faire trancher par le juge sont ceux de savoir : (1) si, selon le droit et l'équité, la prétention du groupe français représenté par MM. du Boullay, Kiener et Casanova à l'exploitation des sels de la mer Morte est fondée; (2) dans le cas de l'affirmative, si le Gouvernement britannique est en droit de déposséder ce groupe, et (3) si le Gouvernement britannique a ce droit, moyennant quelle indemnité.

Quant à la question des dépens, le Gouvernement de la République croit devoir faire observer qu'il n'est pas à sa connaissance qu'un compromis d'arbitrage déférant un litige à la Cour permanente de Justice internationale ait jamais contenu une disposition analogue à celle qui fait l'objet de la troisième condition énoncée par le Gouvernement britannique. La Cour permanente de Justice internationale n'a, depuis son institution, jamais prononcé de condamnation aux dépens. La portée exacte de l'article 56 de son règlement, qui vise de telles condamnations, n'est pas nettement définie, étant donné qu'en dehors des frais d'enquête et d'expertise, il n'y a pas à proprement parler de "dépens" devant la Cour. Le Gouvernement britannique n'a pas cru non plus devoir préciser de quelles sommes il s'agissait. Le Gouvernement français ne serait pas, dans ces conditions, en mesure d'accepter une clause prévoyant la condamnation de la partie perdante aux dépens.

La quatrième condition posée par le Gouvernement de Sa Majesté a trait au règlement arbitral des réclamations présentées par ses ressortissants à la suite des troubles survenus en Syrie en 1925 et 1926. Le Gouvernement de la République n'a pas pu apercevoir le moindre lien entre cette question et celle des sels de la mer Morte. Il est donc persuadé que le Gouvernement britannique renoncera d'autant plus volontiers à cette condition qu'il est certainement à même d'apprécier pleinement tous les inconvénients qu'il peut y avoir à soulever devant une juridiction internationale le problème de la responsabilité d'une Puissance mandataire pour les dommages résultant de troubles survenus sur un territoire sous son mandat.

Le Gouvernement de la République comprend bien que le Gouvernement britannique n'a point posé ces diverses conditions sans de sérieux motifs. Aussi a-t-il cherché une voie qui permettrait aux deux Gouvernements de donner suite à leur commun désir de voir le différend réglé par arbitrage. Il estime que ce résultat pourrait être obtenu si les deux Gouvernements, au lieu de déférer le litige à la Cour permanente de Justice internationale, s'entendaient pour constituer un tribunal spéciale devant lequel le groupe français aurait lui-même à soutenir sa prétention. Dans ce cas, la première condition formulée par le Gouvernement britannique n'aurait plus d'objet et tomberait. La question à soumettre à ce tribunal arbitral pourrait être rédigée conformément aux indications fournies ci-dessus au sujet de la deuxième condition. Il n'y aurait plus d'objections à la clause proposée par le Gouvernement britannique au sujet de paiement des frais par la partie perdante. Il va de soi que la quatrième condition continuerait à être écartée.

Veuillez, &c.

A. DE FLEURIAU.

Lord Tyrrell to Mr. A. Henderson.—(Received September 11.)

(No. 1018.)
Sir,

Paris, September 10, 1930.

I HAVE the honour to transmit herewith a copy of a memorandum received yesterday from the Ministry for Foreign Affairs in reply to the communication addressed to them in accordance with the instructions contained in your despatch No. 1652 of the 7th August concerning the Syria-Iraq and Syria-Iransjordan frontiers.

2. You will see that the French Government accept the procedure suggested for submitting this question to the Council of the League of Nations, and I therefore propose to proceed forthwith to the exchange of notes provided for in paragraph (A) of the formula of the 19th July, 1930, basing my communication on paragraph 6 of the letter addressed by Mr. Lloyd, of the Colonial Office, to Lord Montagu on the 23rd August, copy of which was enclosed in Lord Montagu's letter to Mr. Holman of the 25th August. A second communication will at the same time be made in the sense of paragraph 7 of Mr. Lloyd's above-mentioned letter.

3. The Ministry for Foreign Affairs, as you will see, have prepared a draft of the joint communication to be made to the Council of the League of Nations in accordance with paragraph (B) of the formula. I shall be glad to learn as soon as possible whether it meets with your approval and whether I may so inform the Ministry for Foreign Affairs.

4. As the result of an interview which a member of the staff has had with the Ministry, I understand that the French Government are quite willing that the question should be submitted to the present session of the Council if it is possible to make the necessary communications in the time available. The Ministry had, however, ascertained that owing to climatic conditions the proposed frontier delimitation commission could in any case not start work before March next and, this being so, they rather questioned whether it might not be preferable to reserve the question for submission at the January session.

I have, &c.
(For the Minister),
R. M. A. HANKEY.

Enclosure 1 in No. 135.

Memorandum from the French Ministry for Foreign Affairs.

PAR une note en date du 8 août dernier, l'Ambassade de Sa Majesté britannique à Paris a bien voulu faire part au Ministère des Affaires étrangères des conclusions auxquelles s'est arrêté le Gouvernement de Sa Majesté britannique après avoir pris connaissance du rapport de la délégation britannique ayant participé à l'échange de vues officieux qui s'est poursuivi à Paris du 16 au 19 juillet dernier au sujet de la frontière définie par la Convention de Londres du 23 décembre 1920.

Bien que les termes de la recommandation soumise au Gouvernement de Sa Majesté par la délégation britannique diffèrent sur certains points de la formule examinée au cours de la réunion du 19 juillet, la procédure proposée apparaît dans ses lignes générales comme acceptable pour le Gouvernement français.

La formule examinée au cours de la séance du 19 juillet ne comportait pas de recommandation d'après laquelle les deux Gouvernements se communiqueraient des cartes indiquant ce que chacun d'entre eux considère comme étant le tracé de la frontière de 1920. Le Gouvernement français est toutefois disposé à annexer cette carte, à titre d'indication, à la définition de la frontière de 1920 qu'il se propose de communiquer au Gouvernement britannique et accepte que soit utilisée à cette fin la reproduction photographique de la carte anglaise au 1,000,000^e de 1916.

En ce qui concerne la forme à donner à la requête commune au Conseil de la Société des Nations, le Ministère des Affaires étrangères a l'honneur de faire parvenir ci-joint à l'Ambassade de Sa Majesté britannique un projet qui paraît répondre aux intentions du Gouvernement de Sa Majesté.

Les pages 1, 2 et 3 de ce projet constituent l'exposé historique prévu par le paragraphe 1 de la note précitée de l'Ambassade.

La page 4 du projet correspond en substance aux trois alinéas du paragraphe 2 de cette même note.

A ce document seraient jointes :

1. L'interprétation donnée par le Gouvernement britannique aux termes de la convention de 1920, définissant la frontière entre les États sous mandat britannique et les États sous mandat français ;
2. L'interprétation donnée par le Gouvernement français de cette même définition ;
(Et éventuellement, si la critique de ces interprétations n'est pas réservée pour être développée, dans les mémoires et répliques) ;
3. Les observations qu'aurait suggérées au Gouvernement britannique l'interprétation française de la convention ; et
4. Les observations que suggérerait au Gouvernement français l'interprétation britannique de cette même convention.

Les quatre annexes constitueraient l'exposé du différend, exposé prévu par le paragraphe 1 de la note de l'Ambassade de Sa Majesté.

Le Gouvernement français est tout disposé pour sa part, si le Gouvernement britannique adopte ce projet, à communiquer dans le plus bref délai à l'Ambassade de Sa Majesté l'interprétation française des termes de la convention de 1920 définissant la frontière.

Le Ministère des Affaires étrangères enfin, malgré son désir de presser l'application de la procédure prévue, croit devoir attirer l'attention de l'Ambassade de Sa Majesté britannique sur la difficulté de procéder aux échanges de correspondances nécessaires à l'établissement d'une requête commune dans le délai très court que représente la durée de la présente session du Conseil. Aussi bien l'impossibilité dans laquelle se trouverait la commission d'enquête, en raison des conditions atmosphériques qui règnent au Levant pendant la période d'hiver, de procéder sur place à ses travaux avant le printemps prochain, paraît réduire les inconvénients de la remise éventuelle à la session de janvier du dépôt de la requête au Conseil. Ce délai pourrait être utilement employé par les Gouvernements britannique et français à la préparation des mémoires et répliques en l'absence desquels la commission serait privée des éléments qui lui seront nécessaires pour accomplir sa mission, et par les autorités locales à l'établissement de la carte commune prévue à l'alinéa (e) du paragraphe 2 de la note de l'Ambassade de Sa Majesté britannique.

Au cas donc où les circonstances ne permettraient pas de saisir dès à présent le Conseil, le règlement définitif de la question n'en serait pas retardé.

*Ministère des Affaires étrangères,
Paris, le 9 septembre 1930.*

Enclosure 2 in No. 135.

Projet de Requête commune au Conseil de la Société des Nations.

AU mois de décembre 1920, les Gouvernements britannique et français, désireux de régler complètement les problèmes soulevés par l'attribution à la Grande-Bretagne des mandats sur la Palestine et sur la Mésopotamie, et par l'attribution à la France du mandat sur la Syrie et le Liban, conférés tous trois par le Conseil suprême à San-Remo, recherchèrent d'un commun accord une solution pratique de ces problèmes.

Les négociations engagées à cet effet par les deux Gouvernements aboutirent à la signature de la Convention de Londres du 23 décembre 1920.

L'article 1^{er} de cette convention fixait les limites entre les territoires sous mandat britannique et les territoires sous mandat français.

Aux termes de l'article 2, une commission mixte devait être chargée de reporter sur le terrain les limites ainsi fixées. Ce même article stipulait que les conflits qui pourraient résulter des opérations de cette commission seraient portés devant le Conseil de la Société des Nations, dont la décision serait sans appel.

Les deux Gouvernements décidèrent par la suite que la commission se conformerait aux dispositions de l'article 29 du Traité de Sévres relatives aux lignes à déterminer sur le terrain.

La commission se réunit en juin 1921 et procéda à l'abornement de la frontière jusqu'à El Hammé.

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Au delà de ce point, elle se heurta à la difficulté d'établir un tracé qui tint compte des conditions locales, en ce qui concerne notamment le sud de Djebel Druse. La commission, ayant constaté l'impossibilité dans laquelle elle se trouvait de résoudre cette difficulté, suspendit ses travaux, qui ne furent pas repris depuis lors.

La reprise de ces travaux supposait l'envoi à la commission de directives concertées entre les Gouvernements britannique et français, et un examen des conditions d'application de la Convention de Londres ne pouvait être utilement entrepris entre ces deux Gouvernements avant l'attribution définitive de toutes les parties des territoires auxquels s'appliquait cette convention.

Cette dernière condition s'étant trouvée réalisée du fait de la décision du Conseil de la Société des Nations en date du 16 décembre 1925 et de la signature de l'Accord franco-turc du 22 juin 1929, les Gouvernements britannique et français procédèrent à une étude de l'ensemble du problème de la frontière non encore délimitée, telle qu'elle est définie par la convention du 23 décembre 1920.

Au cours de cette étude les deux Gouvernements constatèrent, d'une part, l'existence en divers points de la frontière de difficultés analogues à celles qui avaient arrêté la commission en 1921, et, d'autre part, des divergences d'interprétation portant sur les termes de l'article 1^{er} de la convention de 1920, qui fixent les limites entre territoires sous mandat britannique et territoires sous mandat français.

Les Gouvernements britannique et français empêchés, à défaut d'un accord sur le tracé des limites à reporter sur le terrain, de convenir de directives à donner à la commission et qui lui permettraient d'apporter à la frontière théorique telles modifications d'ordre pratique destinées à tenir compte des conditions locales;

Et désireux de favoriser le règlement prompt, définitif et équitable d'une question d'importance primordiale pour les populations des territoires sur lesquels s'exercent leurs mandats respectifs,

Ont convenu d'inviter le Conseil de la Société des Nations (1) à examiner toutes les divergences de quelque nature qu'elles soient qui subsistent entre eux au sujet du tracé de la frontière définie par la Convention franco-britannique du 23 décembre 1920; (2) à instituer une commission qui, après avoir pris connaissance des observations présentées au Conseil par les deux parties au sujet de cette frontière, entreprenne sur place toutes enquêtes et vérifications nécessaires, les résultats de cette enquête devant être reportés sur une carte établie à cet effet par les deux parties et qui sera jointe au rapport de la commission au Conseil; (3) à indiquer, conformément aux dispositions de l'article 2 de la convention du 23 décembre 1920, sur la base de ladite convention et au vu du rapport de la commission, une solution définitive des questions en litige.

[E 4896/1077/89]

No. 136.

Mr. A. Henderson to Mr. R. H. Campbell (Paris).

(No. 83.)

(Telegraphic.) R.

Foreign Office, September 11, 1930.

YOUR despatch No. 1018 of the 10th September: Syria-Iraq and Syria-Transjordan frontier.

Formula quoted at end of French draft reference to Council differs materially from that which French and British delegates agreed, on 19th July, to refer to their Governments (see enclosure in my despatch No. 1652 of 7th August). His Majesty's Government had hoped that their readiness to omit final sentence in clause 2 (see penultimate paragraph of Lord Monteagle's letter of 19th August to Mr. Wigram) would enable French Government to accept remainder of formula without further modification.

Modifications now introduced appear to have effect of focussing attention on interpretation issue and of unduly restricting powers of proposed commission.

In order to facilitate early settlement, however, His Majesty's Government are prepared to accept revised French formula, provided clause 2 is amended to conform with first sentence of clause B (11) 2 of draft formula enclosed in my despatch No. 1652 of 7th August. His Majesty's Government presume that, notwithstanding omission of words "which shall be binding on all parties concerned" at end of clause 3, binding character of Council's eventual decision is adequately assured by reference to article 2 of 1920 convention, and they are prepared to agree to omission of words on this understanding.

As regards general question of joint communication to League, you will see, from pp. 5 and 6 of record of Paris discussions enclosed in my despatch No. 1745 of 20th August, that joint communication was then regarded as impracticable. In order to facilitate early reference to League, His Majesty's Government are, however, prepared to agree to joint, or identic, communication on lines of draft enclosed in French note of 9th September, subject to amendment of final formula, as indicated above, and subject to omission (as apparently contemplated in certain eventualities by French Government themselves), of enclosures 3 and 4 (i.e., British and French observations on French and British interpretations respectively of 1920 line). Reasons for this proposed omission are as follows:—

Section B (1) of Paris formula, enclosed in my despatch No. 1652 of 7th August, provided that the two Governments should inform the Council "of the inconveniences to which they consider both that frontier" (i.e., their own interpretation of 1920 line) "and the frontier propounded by the other Government to be subject." There was no intention of providing for detailed discussion of interpretation question at this stage, but merely for presentation of outline of case on merits. Since His Majesty's Government must insist on retention in clause 2 of final formula of provision for presentation of memoranda and counter-memoranda to commission, they are prepared to agree with suggestion of French Government that preliminary argument before Council is unnecessary. They regard it as essential, however, that maps should be attached to enclosures 1 and 2, and are glad to note that French Government agree to this being done.

Omission of enclosures 3 and 4 would have further great advantage of simplifying procedure and expediting early reference to Geneva.

His Majesty's Government greatly hope that French Government will agree to adoption of Paris draft of first sentence of clause 2 of final formula, as indicated above, and to omission from communication to League of enclosures 3 and 4. On these conditions, they are prepared to arrange for signature of proposed joint communication to Geneva as soon as French Government's note and map showing their interpretation of convention line have been received. They would, however, suggest that in order to obviate further possibilities of delay the two Governments should send to Geneva separate communications in identic terms.

[E 5045/1077/89]

No. 137.

Mr. R. H. Campbell to Mr. A. Henderson.—(Received September 18.)

(No. 1046.)

Sir,

Paris, September 17, 1930.

I HAVE the honour, with reference to my despatch No. 1036 of the 15th September, to transmit to you herewith copy of the reply just received from the Ministry for Foreign Affairs to the memorandum which I addressed to them in accordance with the instructions contained in your telegram No. 83 of the 11th September on the subject of the Syrian-Iraq and Syrian-Transjordan frontiers.

2. The Ministry for Foreign Affairs, you will see, have no special observations to offer on the view of His Majesty's Government (a) that the eventual decision of the Council should be binding on all parties; (b) that enclosures 3 and 4 to the communication to the Council proposed by the French Government (i.e., the French and British observations on the British and French interpretations respectively of the 1920 line) should be omitted; and (c) that maps should be attached to the enclosures 1 and 2 to the aforesaid communication, provided, however, that the written description of the frontier—and not the maps, which merely serve as a guide—is employed for purposes of reference. On the other hand, the Ministry for Foreign Affairs are quite unable to accept the proposal of His Majesty's Government to the effect that paragraph 2 of the formula contained in the draft submitted by them in the enclosure to their memorandum of the 9th September should be amended so as to conform with the first sentence of Part B (II) (2) in the British draft formula.

3. I shall be grateful if I may receive instructions as to the reply which I should make to the French Government both as regards the considerations set out by the Ministry for Foreign Affairs in the matter of the formula and the various methods of communication to the Council now suggested.

I have, &c.

R. H. CAMPBELL.

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Enclosure in No. 137.

Memorandum from the French Ministry for Foreign Affairs.

PAR une note en date du 12 de ce mois, l'Ambassade de Sa Majesté britannique à Paris a bien voulu faire part au Ministère des Affaires étrangères des observations qu'avait suggérées au Gouvernement de Sa Majesté la lecture de la note du Ministère des Affaires étrangères en date du 9 de ce mois, relative à la question de la frontière entre États sous mandat britannique et États sous mandat français.

Aux termes de cette communication, le Gouvernement britannique, estimant que la rédaction du projet français a pour effet de concentrer l'attention sur la question de l'interprétation de la convention de 1920, et de réduire à l'excès les pouvoirs de la commission, serait toutefois disposé à adopter la formule française, sous réserve :

1. Que le deuxième paragraphe du projet français de requête au Conseil soit modifié conformément au texte de la première phrase du paragraphe (B) (II) (2) de la formule britannique contenue dans la note de l'Ambassade de Sa Majesté du 8 août dernier ;
2. Qu'il soit bien entendu que la décision éventuelle du Conseil serait obligatoire pour les parties en cause ;
3. Que les annexes 3 et 4 de la communication projetée soient supprimées ;
4. Que des cartes soient jointes aux annexes 1 et 2 de cette même communication.

Le Ministère des Affaires étrangères a l'honneur de faire savoir à l'Ambassade de Sa Majesté britannique que les points 2, 3 et 4 ne suggèrent pas d'observations particulières au Gouvernement français, étant entendu toutefois, en ce qui concerne le point 4, que les cartes jointes n'auraient que la valeur d'une simple indication et que la description écrite de la frontière vaudrait seule comme référence.

Le point 1, par contre, apparaît au Gouvernement français comme d'une importance telle qu'il serait de nature à remettre en question toute la procédure prévue pour l'introduction de la requête au Conseil.

La formule britannique du 8 août dernier tendrait en effet à interdire au Conseil tout examen de l'aspect théorique du problème, à savoir de l'interprétation à donner à la frontière théorique de 1920, avant que la commission d'enquête ait présentée son rapport, à communiquer directement à la commission et non au Conseil les mémoires et réponses des deux Gouvernements, et à charger la commission de proposer une frontière dont le tracé serait arrêté uniquement d'après les données recueillies sur place, en raison de l'impossibilité pour la commission de tenir compte des termes d'une convention dont le sens n'aurait pas été préalablement déterminé.

Cette procédure aurait pour effet de traiter le problème de la frontière, sous le couvert d'une simple référence à la convention du 23 décembre 1920, comme une question entièrement nouvelle, et de la résoudre, en raison de l'imprécision du texte régissant la matière, suivant les seules données qu'énumérerait la deuxième phrase du paragraphe B (II) (2) de la note de l'Ambassade de Sa Majesté britannique en date du 8 août.

Le Gouvernement français, en ce qui le concerne, n'a pas cessé de considérer le problème de la frontière comme étant celui de l'application de la convention de 1920. Dans l'esprit du Gouvernement français, il ne s'agit pas en l'espèce de substituer à cette convention un arrangement pratique destiné à tenir compte de certaines considérations de fait, mais de déterminer d'un commun accord le sens d'une convention dont le premier effet a été d'attribuer aux États sous mandat britannique et aux États sous mandat français des territoires d'une superficie donnée, puis de rechercher, sur la base de cette convention, tels arrangements d'ordre pratique qui, par le moyen de compensations réciproques, tiendraient compte à la fois et des droits et des intérêts des parties en cause.

L'interprétation à donner à la convention de 1920 apparaît donc au Gouvernement français comme d'une importance primordiale, et la divergence de vues constatée au cours des récents entretiens de Paris, divergence sans laquelle le Gouvernement a toute raison de penser qu'un accord aimable eût pu intervenir, comme dominant toute la question et conditionnant la solution à intervenir.

La rédaction proposée par la note du Ministère des Affaires étrangères en date du 9 de ce mois correspondait donc à une intention bien précise. Pressentant la possibilité d'un désaccord sur la procédure à adopter par le Conseil pour instruire l'affaire qui lui serait soumise, désaccord que les récents entretiens de Paris pouvait faire prévoir et

dont la note de Sa Majesté britannique en date du 8 août permettait de préciser les termes, le Gouvernement français, désireux de faciliter l'adoption d'un texte commun de requête, s'était efforcé d'établir en projet ne préjugant pas du détail de la procédure à suivre, se réservant d'ailleurs d'exposer sa thèse devant le Conseil et de s'en remettre à la décision de cette assemblée. Cette manière de faire était conforme aux termes de la convention de 1920, qui prévoit le recours au Conseil, mais ne fixe aucune règle de procédure.

Dans ce même esprit, le Gouvernement français se proposait d'adresser au Conseil, seul saisi du différend et dont la commission ne serait qu'une émanation, les mémoires et requêtes.

Se conformant, d'autre part, au précédent du règlement relatif à la frontière turco-irakienne, le Gouvernement français entendait que la commission fût chargée, non de présenter à l'approbation du Conseil un tracé qui ne saurait tenir compte des dispositions d'un accord dont le sens resterait incertain, mais de fournir au Conseil tous éléments de fait destinés à le guider dans sa recherche d'une solution tenant compte des droits et des intérêts des parties en cause.

Des correspondances récemment échangées entre l'Ambassade de Sa Majesté britannique et le Ministère des Affaires étrangères, et plus spécialement de la note de l'Ambassade en date du 12 septembre, il paraît résulter que les seuls points sur lesquels un accord existe actuellement entre les Gouvernements britannique et français soient le recours au Conseil et l'envoi sur place d'une commission d'enquête.

Le Gouvernement français n'envisageant pas pour sa part la possibilité de se départir, en ce qui concerne la procédure d'instruction de l'affaire par le Conseil, de la manière de voir ci-dessus exposée, il semble que le Conseil ne puisse être pratiquement saisi que sous l'une des trois formes suivantes :

1. Ou requête commune telle que celle qui a fait l'objet de la note du Ministère des Affaires étrangères en date du 9 de ce mois, qui laisse aux deux parties la possibilité de préciser leur position devant le Conseil ;
2. Ou formule plus brève invitant le Conseil à se saisir du différend et à prévoir l'envoi d'une commission sur place, les deux parties se réservant d'exposer au Conseil par requêtes séparées leur manière de voir en ce qui concerne la procédure à suivre ;
3. Ou brève déclaration commune des représentants britannique et français au Conseil, annonçant le dépôt devant le Conseil de requêtes séparées exposant le différend dont le Conseil serait saisi.

Le Ministre des Affaires étrangères croit devoir dès à présent indiquer à l'Ambassade de Sa Majesté britannique que le Gouvernement français, au cas où le Conseil serait saisi par requête séparée, conformément à l'une des procédures 2 et 3 ci-dessus décrites, insisterait dans les conclusions de sa requête avec toute la netteté désirable sur la nécessité d'un examen préalable touchant la fixation de la frontière telle qu'elle résulte d'une juste interprétation des termes de la Convention de Londres de 1930, qui est à l'origine du litige, et suggérerait une consultation juridique qui pourrait prendre la forme d'une demande d'avis à la Cour de La Haye.

*Ministère des Affaires étrangères, Paris,
le 16 septembre 1930.*

[E 5758/506/65]

No. 138.

Mr. A. Henderson to M. de Fleuriau.

Your Excellency,

Foreign Office, October 28, 1930.

I HAVE to thank you for your note of the 4th September regarding the proposed arbitration in respect of the claim of a French group to the concession for the extraction of salts from the Dead Sea.

2. Your Excellency explains in this note that the French Government, while welcoming the readiness of His Majesty's Government to consent to the reference of this question to the Permanent Court of International Justice at The Hague, are unable to accept any of the four conditions to which His Majesty's Government have made that consent subject. The French Government, therefore, propose that the claim put forward by the French group against His Majesty's Government shall be

submitted, not to the Permanent Court of International Justice at The Hague, as originally proposed by the French Government and now conditionally agreed to by His Majesty's Government, but to a special arbitral tribunal to be constituted for the purpose—a proposal which, in their view, would render the conditions put forward by His Majesty's Government unnecessary and inapplicable. They further suggest the terms of reference which might suitably be agreed upon if this procedure were to be adopted.

3. His Majesty's Government have now considered the various arguments put forward in your Excellency's note in support of the attitude adopted by the French Government in this matter, and, to my regret, cannot regard them as either valid or well-founded.

4. The first condition put forward by His Majesty's Government was that the French Government should themselves adopt and accept responsibility for the claim put forward by the French group. Your Excellency states that this condition does not correspond to the dispositions ordinarily found in arbitration proceedings, that its object is not clear to the French Government, and that it would necessitate the reference of the dispute to the French Parliament, a proceeding which would involve a regrettable delay. The second condition put forward by His Majesty's Government was that the French Government should agree that the point to be submitted for decision to the Permanent Court of International Justice at The Hague was whether any right possessed by the French Government in international law had been infringed by the refusal of His Majesty's Government to recognise the validity of the concession. Your Excellency explains that this condition, which is linked to the preceding one, seems at variance with the procedure usually adopted when two States agree to submit the claims of their nationals to arbitration, and that it does not sufficiently emphasise the particular points at issue, the French Government's conception of which your Excellency then proceeds to define.

5. In replying to these arguments I will begin by requesting your Excellency to draw the attention of the French Government to the following quotations from certain recent judgments of the Permanent Court of International Justice at The Hague, which, though immediately concerned with other cases, establish certain general principles which have a direct bearing on the present issue:—

6. Extract from judgment of the Permanent Court in the *Mavrommatis* case ("Publications of the Court," Series A, No. 2, p. 11):—

"It is an elementary principle of international law that a State is entitled to protect its subjects when injured by acts contrary to international law committed by another State, from whom they have been unable to obtain satisfaction through the ordinary channels. *By taking up the case of one of its subjects and by resorting to diplomatic action or international judicial proceedings on his behalf, a State is in reality asserting its own rights—its right to ensure, in the person of its subjects, respect for the rules of international law.*

"*The question, therefore, whether the present dispute originates in an injury to a private interest, which, in point of fact, is the case in many international disputes, is irrelevant from this standpoint. Once a State has taken up a case on behalf of one of its subjects before an international tribunal, in the eyes of the latter the State is sole claimant.*

"*It is true that the State does not substitute itself for its subject; it is asserting its own rights, and, consequently, factors foreign to the previous discussions between the individual and the competent authorities may enter into the diplomatic negotiations.*

7. Extract from judgment of the Permanent Court relating to the *Chorzow* Factory ("Publications of the Court," Series A, No. 17, p. 26):—

"It is a principle of international law that the reparation of a wrong may consist in an indemnity corresponding to the damage which the nationals of the injured State have suffered as a result of the act which is contrary to international law. . . . *The reparation due by one State to another does not, however, change its character by reason of the fact that it takes the form of an indemnity for the calculation of which the damage suffered by a private person is taken as the measure.* The rules of law governing the reparation are the rules of international law in force between the two States concerned and not the law governing relations between the State which has committed a wrongful act and the individual who has suffered damage. Rights or interests of an individual,

the violation of which rights causes damage, are always in a different plane to rights belonging to a State, which rights may also be infringed by the same act. The damage suffered by an individual is never, therefore, identical in kind with that which will be suffered by a State; it can only afford a convenient scale for the calculation of the reparation due to the State."

8. Extract from judgment of the Permanent Court in the case of the *Serbian loans* ("Publications of the Permanent Court," Series A, Nos. 20 and 21, pp. 15, 17 and 18):—

" . . . It is true, however, that, in the preamble, as also in article 1 above quoted, the Special Agreement defines the dispute by stating, not the respective contentions of the two Governments, but, on the one hand, that of the Serb-Croat-Slovene Government, and, on the other, that of the French bondholders; the court will revert to this point. . . .

"Nevertheless, according to the strict terms of the Special Agreement, the controversy submitted to the court does not appear as a dispute between the two Governments, but as one between the Government of the Serb-Croat-Slovene Kingdom and the French bondholders of certain Serbian loans. . . .

"It follows that if the dispute referred to the court by the Special Agreement between France and the Serb-Croat-Slovene State were to be regarded as a dispute between the Government of the Serb-Croat-Slovene Kingdom and certain bondholders of the loans, one of the essential conditions of procedure before the court, namely, the legal capacity of the parties, would be unfulfilled.

"In this connexion, reference should be made to what the court has said on several occasions, and in particular in Judgments Nos. 2 and 13, namely, that *by taking up a case on behalf of its nationals before an international tribunal, a State is asserting its own right—that is to say, its right to ensure in the person of its subjects respect for the rules of international law.*

"It is, however, to be noted that the question whether the manner in which the Serb-Croat-Slovene Government is conducting the service of its loans is in accordance with the obligations accepted by it, is no longer merely the subject of a controversy between that Government and its creditors. When the holders of the Serbian loans, considering that their rights were being disregarded, appealed to the French Government, the latter intervened on their behalf with the Serb-Croat-Slovene Government. Diplomatic negotiations followed; but, whatever took place during these negotiations, it is common ground that the Serb-Croat-Slovene Government did not reject the intervention of the French Government, but contended that the service of the loans was being effected by it in full conformity with the obligations resulting from the contracts. This view, however, was not shared by the Government of the French Republic. As from this point, therefore, there exists between the two Governments a difference of opinion, which, though fundamentally identical with the controversy already existing between the Serb-Croat-Slovene Government and its creditors, is distinct therefrom; for it is between the Governments of the Serb-Croat-Slovene Kingdom and that of the French Republic, the latter acting in the exercise of its right to protect its nationals. It is this difference of opinion between the two Governments and not the dispute between the Serb-Croat-Slovene Government and the French holders of the loans, which is submitted by the Special Agreement to the court. . . ."

9. It will be apparent from the above quotations that it is well-established that, when a State makes representations to another State with regard to the treatment of its nationals by that State, and there is a difference of opinion between them, which is referred to arbitration or to judicial settlement, (1) the parties to the difference so referred are the two States, (2) the claimant State claims for an injury done to itself in the person of its national or nationals, and (3) the claimant State must establish, in order to succeed, a breach of international law. Moreover, it is clear that, in the opinion of the Permanent Court, this is, in fact, the case even if the terms of the special agreement refer (incorrectly in the court's opinion), to the claim of the national or nationals of the claimant State on the one hand, and the contentions of the Government of the defendant State on the other.

10. The French Government will thus see that the first and second of the conditions, which His Majesty's Government have put forward, correspond exactly

with the view of the legal position which has been taken by the Permanent Court of International Justice itself. His Majesty's Government, in agreeing to submit the present dispute to the court on these conditions, are, indeed, giving to France everything which, in the opinion of the Permanent Court, France is entitled to demand; namely, the submission, to the highest international jurisdiction, of such claim as the French Government may think fit to put forward, on the basis of an alleged injury to France, in the person of French nationals, caused by action contrary to international law. Such a submission would enable the court, if it should hold the French claim to be justified, to award damages for any such injury of which France is legally entitled to complain. His Majesty's Government accordingly hope that, in view of this explanation, the meaning of their first condition will now be clear to the French Government, and that the French Government will recognise that the terms of their second condition exactly cover the only type of claim which France is entitled to make against His Majesty's Government in international law.

11. As to the argument that the acceptance of these conditions would necessitate a reference of the matter to the French Parliament, His Majesty's Government can only regard this as a purely French internal question, with which they are not concerned.

12. I have already explained that the submission of this claim to the Permanent Court of International Justice under the first two conditions proposed by His Majesty's Government in the United Kingdom is in exact accordance with the rulings of the Permanent Court of International Justice as to the legal position when a State puts forward claims in respect of alleged injuries to its nationals against another State and therefore, provides a means of settling, in the correct and regular manner, any claim which the French Government are entitled to make. I have not been able to find in your Excellency's note any good reason justifying in the present case a departure from the regular procedure. With regard, in particular, to your Excellency's observations on the first of His Majesty's Government's conditions, I find it difficult to understand how the French Government, if they are not prepared to assume responsibility for the present claim, can reasonably expect His Majesty's Government to regard the claim as a serious one, suitable for submission to an international tribunal. I may remind your Excellency that, until the autumn of 1927, the only interests in this claim—according to the information of His Majesty's Government—were those of British nationals. The representatives of these British nationals, having repeatedly failed to establish their case or to secure satisfaction for their demands, and seeing no other means by which they could take the matter further, then openly threatened that, if their demands were not satisfied, they would make the question an international matter, and stated that foreign interests had been brought in, admittedly for the sole purpose of enabling the claim to be taken before the Permanent Court of International Justice at The Hague. Very shortly after this your Excellency, on the 21st February, 1928, made your first representations, on behalf of the French group, which the British claimants had now introduced into the matter.

13. I need not recapitulate the various stages of the discussion which followed, beyond reminding your Excellency that, although His Majesty's Government informed the French Government on the 16th April that they could not recognise the concession, and that two successive groups of British nationals, who had preferred claims in respect of it, had been so informed, no further communication was received from the French Government until the 9th February, 1929, when your Excellency left a second note at the Foreign Office, not containing any defence of the claim of the French group, but enclosing a draft statement prepared by the French private interests concerned, but bearing no signature, on which your Excellency refrained from expressing any definite opinion. A full reply to this statement was, nevertheless, sent to your Excellency on the 14th March, 1929, in which the refusal of His Majesty's Government to recognise the concession was supported by detailed legal arguments—arguments which appear to His Majesty's Government to be conclusive, and have never been answered.

14. These facts alone would amply justify His Majesty's Government (were any justification needed) in refusing to deal directly with the private French interests concerned, and in only consenting to consider a claim made by the French Government themselves, or for which the French Government were prepared to assume responsibility. There exists a well-recognised rule of international law, by which a State, in order to be entitled to take up a claim on behalf of its nationals against another State, must be able to show that it possessed—in the persons of its nationals—a national interest in the subject of the claim at the time when the alleged injury

occurred. His Majesty's Government have reason to doubt whether, in the present case, a claim by the French Government is justifiable under this rule; and they are not prepared to agree to any reference of this claim to an international tribunal which does not leave this point open for the appreciation of the tribunal.

15. As regards the third condition put forward by His Majesty's Government—*i.e.*, that the French Government should agree to the insertion in the terms of reference to the Permanent Court of a provision enabling the court to award costs to the successful party—a condition to which equally the French Government appear inclined to object—His Majesty's Government are prepared to admit that, so far as they are aware, no case hitherto submitted to the Permanent Court of International Justice at The Hague has contained a provision of this character. They consider, however, that there are certain cases in which such a provision may appropriately be made, and they are of opinion that in the present instance, and in view of the circumstances as described above which have attended this case, the insertion of such a condition is amply justified. As I have explained in paragraph 14, His Majesty's Government have already given, in reply to representations from your Excellency, reasons which appear to them to prove conclusively that the claim is without foundation, and have received no answer to these arguments. In these circumstances, it is only natural that His Majesty's Government should object to incur the expense which the hearing of such a case must inevitably entail, unless they can be assured that, in the event of their succeeding in establishing their position, they will not still be out of pocket, and that the expenses will be borne by the losing party. The proposal of His Majesty's Government that the court should award costs to the successful party, will, moreover, leave the French Government entirely free to enter, upon their part, into such arrangements as they may think fit, with the private French interests concerned, for the reimbursement to the French Government of any expense which they might thus be condemned to pay to His Majesty's Government in the event of their claim being unsuccessful before the court. In these circumstances, His Majesty's Government regret that they must insist upon the maintenance of this condition, no less than of the others they have laid down, if the case is to be referred to any kind of arbitral tribunal.

16. If the French Government were prepared to accept the submission of this case to judicial decision on the conditions proposed by His Majesty's Government, the drafting of a special agreement of reference in accordance with these conditions could then be usefully considered, and His Majesty's Government would be ready to submit a draft agreement for the consideration of the French Government. Until, however, there is an agreement in principle as to these preliminary points, it does not appear that any useful purpose could be served by a discussion of points of drafting. For this reason I will not enter into any discussion in my present note of the formula set forth in paragraph 5 of your Excellency's note. I will merely state that His Majesty's Government could not in any case accept the implication, contained in paragraph 3 of that formula, that, even if His Majesty's Government held the right to "dispossess" the French group of its alleged concession, such a right could only be exercised on the payment of an indemnity by His Majesty's Government. The contention of His Majesty's Government, as your Excellency is aware, is, and has always been, that the original concession was invalid, and that the French group can accordingly have acquired no rights whatever from the British group. The formulation of paragraph 3 seems, therefore, to some extent to contain a *petitio principii*.

17. As regards the fourth condition put forward in my note of the 15th July—*i.e.*, that the French Government should now agree to the reference to arbitration of the British claims arising out of the disturbances in Syria in 1925 and 1926—I would request your Excellency to remind the French Government, in some detail, of the course of the lengthy negotiations which have taken place on this question.

18. During the Syrian rebellion of 1925-26, a number of British subjects, British protected persons, and natives of British mandated territories suffered serious loss or damage as a direct result of the action of the French military authorities, in respect of which they subsequently submitted claims against the French Government. On the 4th December, 1925, His Majesty's Ambassador in Paris, under instructions from my predecessor, drew the attention of the French Government to these claims, and expressed the hope that they would be prepared to make arrangements under which British claimants would receive reasonable compensation. The French Government having replied to this communication by repudiating all responsibility for the events out of which the claims arose, and all

liability towards the claimants, the matter was discussed informally between the Legal Advisers of the Foreign Office and of the French Ministry for Foreign Affairs, and it was explained that, if the French Government could not meet His Majesty's Government over this question in a more accommodating spirit, some kind of friendly arbitration must be pressed for. His Majesty's Government were fully conscious of the difficulties of the French Government in Syria, and did not wish to increase them. They could not, however, believe that the French Government really wished to escape liability for any mistakes committed on the French side which might justify claims. Some form of arbitration, therefore, seemed equally advantageous to both sides. These conversations having led to no result, the matter was again discussed informally between His Majesty's Embassy in Paris and the Quai d'Orsay in May 1926. In the course of these conversations His Majesty's Embassy were informed that the French Government, no less than His Majesty's Government, were anxious to settle any well-founded claims in a quiet and friendly manner. It was therefore suggested that as small a list as possible of the claims, including only those which His Majesty's Government regarded as really well-founded and were ready definitely to support, should be prepared and communicated to the Quai d'Orsay, in order that they might be examined, and, if possible, met in an amicable spirit.

19. On the receipt of this communication the claims were subjected by His Majesty's Government to a careful scrutiny, in consultation with His Majesty's consular officers in Syria. Such claims as to the soundness of which, either on legal grounds or for other reasons, there appeared to be any room for doubt were abandoned, and a carefully selected list of the strongest claims was handed to the Quai d'Orsay on the 5th November, 1926, the hope being expressed that the matter might now be disposed of without delay. No satisfactory reply was, however, received from the French Government. A supplementary list of claims, the investigation of which had not been completed when the previous list was sent in, was presented to the French Government on the 1st April, 1927. A few further claims were held up pending further enquiries by His Majesty's Government, but these have now also been communicated to the French Government.

20. On the 3rd June, 1927, the French Government sent an official reply regarding the claims presented in November 1926 and April 1927. This reply, so far from indicating any readiness on the part of the French Government to meet the claims in a friendly spirit, began by reasserting the original French denial of all responsibility for the events out of which the claims arose, and explained that the only satisfaction which the French Government could offer was a promise to allow the British claimants a share in the exiguous funds which had been collected from the rebels by way of fines—a sum entirely inadequate to meet even a small proportion of the claims.

21. During the next two years His Majesty's Government made repeated efforts to obtain a settlement of this question, indicating their readiness to accept any form of settlement which would enable them to obtain reasonable satisfaction for such claims as they regarded as well-founded and for which they were prepared to take responsibility, but emphasising the fact that it would be impossible for them to abandon the claims, and making it clear that, unless some satisfaction could be obtained, it would be necessary for them to demand arbitration. The attitude of the French Government, however, became less and less accommodating, and every fresh appeal made by His Majesty's Embassy in Paris was met either by protracted delays or by the statement that the matter must be referred to Beirut for a further report. Eventually, on the 4th May, 1929, His Majesty's Ambassador in Paris, under instructions from Sir Austen Chamberlain, addressed a note to the French Government, recapitulating the history of the recent negotiations and formally demanding arbitration in this matter. No reply has been received to this communication.

22. While, therefore, His Majesty's Government do not dispute the statement contained in your Excellency's note that the question of the Syrian claims has no direct connexion with that of the present French claim in respect of the alleged Dead Sea salts concession, they cannot but feel the utmost surprise that the French Government should consider it natural and proper for His Majesty's Government to agree to the unconditional reference to arbitration of the claim of a private French group, while the French Government themselves continue to refuse to agree to any form of tribunal to decide upon British claims, which have been pressed for so long, and in respect of which His Majesty's Government have adopted so patient and conciliatory an attitude. I would further remind your Excellency that His

Majesty's Government have put forward no claim in respect of British losses arising out of the Syrian disturbances without assuring themselves that there is a *prima facie* case in international law against the French authorities, and without themselves assuming full responsibility for that claim. In these circumstances, they consider that they are entitled to demand at least reciprocity of treatment, and to insist on the French Government agreeing to arbitration in the case of the British claims as an essential condition of their own agreement to refer the present French claim to any form of international arbitration.

23. Finally, I would remind your Excellency of the recent consent of His Majesty's Government to accept arbitration in the case of the claim of Mme. Chevreau. His Majesty's Government can only regret that their unconditional compliance in this matter has not led the French Government to adopt a more conciliatory and reciprocal attitude in regard to the British claims.

24. In these circumstances, His Majesty's Government regret that they cannot consider the proposal of the French Government that the French group's claim in respect of the alleged concession for the extraction of salts from the Dead Sea should be referred to a tribunal other than the Permanent Court of International Justice at The Hague, and that it is impossible for them to abandon any of the four conditions set forth in my note of the 15th July.

I have, &c.

ARTHUR HENDERSON.

[E 6455/598/65]

No. 139.

Consul Monck-Mason to Mr. A. Henderson.—(Received November 28.)

(No. 81.)

Sir,

Aleppo, November 20, 1930.

WITH reference to my despatch No. 78 of the 22nd October on the subject of communications with Iraq and North Persia, I have the honour to report that progress on the Bozanti-Alep-Nisibin and Prolongements railway line is being made in the direction of Tell Ziwan, which should be reached by February next. A modest building will be put up there to serve temporarily as a station house, and, later on, for the accommodation of staff. The aim is, of course, to make of Tell Ziwan the Syrian rail-head, but this may not happen until April or May next, pending the decision of the High Commission at Beirut.

2. M. Audoin, the manager of the railway here, tells me that at the present rate of progress trains should be able to get as far as Kubur-el-Bid (about 20 kilom. east-south-east of Tell Ziwan, and see paragraph 3 of my despatch No. 16 of the 23rd January, 1930) before the end of 1931. At Kubur-el-Bid, which, by reason of its central position in the rich agricultural district of the Duck's Bill, is destined to increase in importance, probably more or less at the expense of Kameshlié, more ambitious buildings will be erected. The High Commissioner at Beirut has promised to put up a rest house here. It is worth noting that the proposal to build a hotel at Nisibin has fallen through, while nothing has been done at Kameshlié. At the latter place, however, accommodation of some sort fit for Europeans is needed.

3. In the same way that the additional 59 kilom. of railway covered between Derbessieh and Nisibin were sufficient to start motor cars conveying passengers to Mosul, the extra 33 or 34 kilom. of railway beyond Nisibin, to Kubur-el-Bid, combined, of course, with the improvement of the roads between rail-head and Mosul, will make it possible for Kirkuk to be reached on the evening of the day that the passenger alights at Kubur-el-Bid. The weak spot on the road is the bridge at Demir-Kapu. I am assured that this work is being taken in hand by the Syrian Public Works and the bridge should be ready by the winter. This is, indeed, part of the settled programme of the Wagons-Lits Company, and its eventual execution will save nearly a day of the eight now taken to reach Bagdad. To make it possible, it will, of course, be necessary to speed up the train service in such a way that Kubur-el-Bid may be reached at the same hour of the morning as Nisibin is now reached: this can be done.

4. Other decisions tending to improve the passenger train service towards Mosul were arrived at during the conference of the Wagons-Lits Company held at Copenhagen this summer. One affects the restaurant-car service from Istanbul; in future the restaurant-car is to go on to Nisibin and not to Rayak, replacing the

present "fourgon-restaurant." The sleeping-car service is to function on the Nisibin line three times a week instead of twice, as now.

5. The Wagons-Lits Company have also decided to inaugurate during the coming year a motor-car service between Khanakin and Tehran, via Kermanshah and Hamadan, taking three days on the journey. The exact dates for the execution of this programme and the improvements indicated above cannot as yet be fixed.

6. The passenger service between Nisibin and Aleppo has been much appreciated by travellers during the last year, and the figures are encouraging. They should be even better when the actual rail-head is in Syrian territory. Freight figures have been disappointing, mainly on account of the dilatoriness on the part of the Syrian and Iraq authorities to ratify the agreement come to on customs matters between officials of the two countries at Aleppo in June last. It may be said that freight traffic between Iraq and Syria by the Bozanti-Alep-Nisibin and Prolongements railway line is almost at a standstill pending the decision of the two parties concerned. If the freight service of the line is to be properly tested, it is also necessary that the suggested meeting between the Syrian, Iraqi and Persian customs delegates should take place as soon as possible.

I have, &c.

A. MONCK-MASON.

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